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# SCHOOL MILK AND SCHOOL BREAKFAST PROGRAMS

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HEARING  
BEFORE THE  
COMMITTEE ON  
AGRICULTURE AND FORESTRY  
UNITED STATES SENATE  
EIGHTY-NINTH CONGRESS

SECOND SESSION

ON

**S. 3467**

A BILL TO AMEND THE NATIONAL SCHOOL LUNCH ACT,  
AS AMENDED, TO STRENGTHEN AND EXPAND  
FOOD SERVICE PROGRAMS FOR CHILDREN

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JUNE 21, 1966

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Printed for the use of the Committee on Agriculture and Forestry



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## CONTENTS

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### Statement of—

Davis, Howard P., Deputy Administrator for Consumer Food Programs, Consumer and Marketing Service, U.S. Department of Agriculture.....	Page 12
Dechant, Tony T., president, National Farmers Union.....	47
Freeman, Hon. Orville L., Secretary of Agriculture.....	7
Gunderson, Gordon W., chairman, legislative committee, American School Food Service Association, Madison, Wis.....	45
Hartke, Hon. Vance, a U.S. Senator from the State of Indiana.....	50
Healy, Patrick B., assistant secretary, National Milk Producers Federation.....	36
McGarry, Mrs. Barbara D., executive director, American Parents Committee.....	49
 Miscellaneous documents:	
S. 3467, 89th Congress.....	2
Staff explanation of S. 3467.....	5
Other legislative authority providing assistance for school lunches...	8
Resume of USDA's food assistance programs as they affect low-income groups.....	8
Number of children and schools participating in the school lunch program.....	13
Comparison of free or reduced price lunches with total lunches served..	15
Cost of fluid milk and dairy products consumed in schools.....	33
Net realized losses and funds used for dairy programs.....	41
Letter from National Milk Producers Federation on cost of dairy programs.....	43



# SCHOOL MILK AND SCHOOL BREAKFAST PROGRAMS

TUESDAY, JUNE 21, 1966

U.S. SENATE,  
COMMITTEE ON AGRICULTURE AND FORESTRY,  
*Washington, D.C.*

The committee met, pursuant to notice, at 10:10 a.m., in room 324, Old Senate Office Building, Senator Allen J. Ellender (chairman) presiding.

Present: Senators Ellender (presiding), Holland, Talmadge, Montoya, Aiken, Young of North Dakota, and Boggs.

The CHAIRMAN. The committee will please come to order.

We are conducting hearings this morning on an amendment to the National School Lunch Act as contained in S. 3467.

I wish to say that this is an administration bill that was sent to me as chairman. I looked it over for some time. Before I introduced it I suggested certain changes which were made. I am very hopeful that the members of this committee will take note of the changes suggested by me.

I would like to say for the record that the bill before the committee today is different from the original Child Nutrition Act of 1966 that was forwarded to the committee. The original Child Nutrition Act would have completely superseded and revised the National School Lunch Act.

The present bill, S. 3467, makes no changes in the school lunch program or in the special milk program except that the latter would be made part of the School Lunch Act. This bill is in line with suggestions that I made to the Secretary of Agriculture. It would add provisions to the National School Lunch Act:

- (1) A 3-year extension of the special milk program.
- (2) A pilot breakfast program in schools drawing attendance from poor economic areas and in schools to which the children must travel long distances for fiscal years 1967, 1968, 1969;
- (3) A permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist; and
- (4) Extension of the school-feeding program to include pre-school programs operated as part of the school system.

I might add that while this bill requires that all new feeding programs take place in schools, the original Child Nutrition Act would have extended the feeding programs to places outside of school.

(S. 3467 and staff explanation are as follows:)

[S. 3467, 89th Cong., 2d sess.]

A BILL To amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National School Lunch Act, as amended, is amended—*

(A) By inserting in section 3 before the period at the end thereof the following phrase: "and other than sections 13 through 15."

(B) By inserting in section 6 after the word "Act" where it first occurs the following: "(other than sections 13 through 15)."

(C) By adding at the end of subsection (d) of section 12, the following new paragraph:

"(S) 'Nonprofit institution' means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual."

(D) By adding at the end of the Act the following new sections:

#### "SPECIAL MILK PROGRAM

##### "AUTHORIZATION

"SEC. 13. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1967, and each fiscal year thereafter during the period ending June 30, 1970, such sums as may be necessary, but not in excess of \$100,000,000 for any fiscal year, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section 'United States' means the fifty States and the District of Columbia.

#### "SCHOOL BREAKFAST PROGRAM

##### "AUTHORIZATION

"SEC. 14. (a) There is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1967, 1968, and 1969 such sums as may be necessary to enable the Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain or expand nonprofit breakfast programs in schools drawing attendance from areas in which poor economic conditions exist and in schools to which a substantial proportion of the children enrolled must travel long distances.

##### "APPORTIONMENT TO STATES

"(b) Of the funds appropriated for the purposes of this section for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, the Virgin Islands, Puerto Rico, and American Samoa. Such funds shall be apportioned among such States on the basis of the ratio of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.

"(c) Of the remainder of the funds appropriated, the Secretary shall for each fiscal year, (1) apportion the first \$2,500,000 equally among the States, other than Guam, the Virgin Islands, Puerto Rico, and American Samoa, and (2) apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families receiving more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.



“STATE DISBURSEMENT TO SCHOOLS

“(d) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (e). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist.

“(e) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food.

“NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

“(f) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

“NONPROFIT PRIVATE SCHOOLS

“(g) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under subsections (b) and (c) of this section an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children enrolled in all schools within the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

“NONFOOD ASSISTANCE PROGRAM

“AUTHORIZATION

“SEC. 15. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each fiscal year thereafter such sums as may be necessary to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

“APPORTIONMENTS TO STATES

“(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of this Act for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that one-fourth of the cost of any facilities financed under this subsection shall be borne by State or local funds.

## "STATE DISBURSEMENT TO SCHOOLS

"(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

## "NONPROFIT PRIVATE SCHOOLS

"(d) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsection (b) an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary under section 9 of this Act served in the preceding fiscal year by all nonprofit private schools participating in the program under section 2 within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

## "PAYMENTS TO STATES

"SEC. 16. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under section 13 through 17 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

## "STATE ADMINISTRATIVE EXPENSES

"SEC. 17. The Secretary may utilize not to exceed 1½ per centum of the total funds appropriated under this Act for any fiscal year for advances to each State educational agency for use for its administrative expenses in carrying out programs under this Act: *Provided*, That no such agency shall receive a sum greater than 1 per centum of the funds apportioned to it under this Act, or \$7,500, whichever is greater. The amount of such payments shall be deducted from such appropriated funds prior to any apportionment thereof under this Act.

## "SELECTION OF SCHOOLS

"SEC. 18. In the selection of schools and nonprofit institutions to receive Federal assistance under sections 13, 14, and 15 of this Act, the State agency shall adopt the methods and procedures necessary to assure coordination with and give, where the need is comparable, preference to programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions.

## UTILIZATION OF FOODS

"SEC. 19. Each school and nonprofit institution participating under section 14 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, and to nonprofit institutions for utilization in their feeding programs under this Act, as well as to other schools carrying out nonprofit school lunch programs and other institutions authorized to receive such foods.



## "NONPROFIT PROGRAMS

"SEC. 20. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

## "STATISTICAL DATA

"SEC. 21. Data on numbers of children of ages five through seventeen and on per capita income shall be made available by the Secretary of Commerce to the Secretary and, except where otherwise expressly stated in this Act, shall be the latest available.

## "REGULATIONS

"SEC. 22. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

## "PROHIBITIONS

"SEC. 23(a) In carrying out the provisions of section 13 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any nonprofit institution.

"(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

"SEC. 24. The Secretary may extend the benefits of school feeding programs under this Act to include preschool programs operated as part of the school system."

## SENATE COMMITTEE ON AGRICULTURE AND FORESTRY

## STAFF EXPLANATION OF S. 3467

The bill would amend the National School Lunch Act by adding provisions for—

- (1) A special milk program for fiscal years 1968, 1969, and 1970;
- (2) A pilot breakfast program for needy children in schools drawing attendance from poor economic areas and in schools to which the children must travel long distances for fiscal years 1967, 1968, and 1969;
- (3) A permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist; and
- (4) General administration (sections 16 through 24), including provision for—

(A) use of up to 1½ percent of the funds appropriated for the various programs for program administrative expenses of State educational agencies;

(B) coordination with, and preference to, programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964;

(C) requiring the food and milk service programs to be conducted on a nonprofit basis;

(D) in the case of the milk program, prohibiting imposition of requirements dealing with teaching;

(E) providing that assistance under the Act not be deemed income and that State expenditures for child food programs not be reduced;

(F) authorizing the Secretary to extend school feeding programs under the Act to include pre-school programs operated as part of the school system.

## SECTION-BY-SECTION EXPLANATION

Section 1(A) keeps the appropriation authorization for the national school lunch program separate from those for the new programs.

Section 1(B) excludes funds appropriation for the new programs from section 6 of the National School Lunch Act, which provides that part of the funds may be

used for Department administrative expenses and part may be used for direct food purchases.

Section 1(C) defines "nonprofit institution" as an institution, other than a school, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 1(D) adds new sections 13 through 24 to the National School Lunch Act which provide as follows:

Section 13. Special Milk

Section 14. School Breakfast

Section 15. Nonfood Assistance

Section 16 through 24. General Provisions

New section 13, which provides for the special milk program is identical to section 2 of the Act of July 1, 1958, the current authority for the special milk program, except that the current authority runs only through June 30, 1967, while the new authority runs through fiscal 1970, and appropriations would be limited to not more than \$100 million per year. However, since the new authority would be part of the National School Lunch Act, the general provisions of that Act would be applicable.

Section 14 provides for a pilot school breakfast program for fiscal years 1967, 1968, and 1969.

Subsection (a) authorizes appropriations for such program in schools serving children from low-income areas and in schools drawing attendance from children who have to travel long distances.

Subsections (b) and (c) provide for apportionment to States. Three percent would be apportioned to Guam, the Virgin Islands, Puerto Rico, and American Samoa, on the basis of the number of children ages 5 through 17. From the balance the other States would each receive first, a basic grant of \$50,000 and, second, additional funds on the basis of need as indicated by the number of children in the State, ages 5 through 17, in families with income of less than \$2,000 plus children, ages 5 through 17, in families receiving assistance under the program for Aid to Families with Dependent Children.

Subsection (d) requires States to disburse funds to schools found eligible by the State educational agency at rates per meal that will be established by the Secretary. These funds are to be spent only for food for needy children. To the extent practicable, first consideration will be given to schools in areas of economic need.

Subsection (e) provides that in instances of severe need, the Secretary may authorize assistance up to 90 percent of the operating cost of a breakfast program, including the cost of obtaining, preparing and serving food.

Subsection (f) requires meals served under this section to meet nutritional requirements prescribed by the Secretary on the basis of tested nutritional research and to be served free or at reduced cost to those children found, by local school authorities, to be unable to pay the full cost. This is similar to the requirement contained in the existing National School Lunch Act.

Subsection (g) provides that the Department of Agriculture will administer the program in nonprofit private schools in those States whose educational agency is forbidden, by law, to disburse funds to other than public schools. This is similar to the method followed under the National School Lunch Act.

Section 15 provides for a permanent nonfood assistance program in schools drawing attendance from poor economic areas.

Subsection (a) authorizes appropriations to assist States in helping such schools acquire facilities, other than land and buildings, for the storage, preparation, transportation and serving of food.

Subsection (b) provides that funds shall be apportioned among the States on the same basis as school lunch funds under section 4. Payments to States are made on condition that one-fourth of the cost of any facilities financed shall be borne by State or local funds.

Subsection (c) permits the State educational agency to disburse funds to eligible schools by advance or by reimbursement only on request from the school, accompanied by a detailed description of the facilities to be acquired and plans for their use to improve the nutritional needs of the children in the school.

Subsection (d) requires the Department of Agriculture to administer the program in nonprofit private schools in those States where the State educational agency is not permitted, by law, to disburse funds to other than public schools.

Section 16 provides that the Secretary shall certify to the Secretary of Treasury payments to be made to any State under the new provisions and the Secretary of Treasury shall make the payment. This is the same procedure currently used under the national school lunch program.



Section 17 authorizes the Secretary to use up to 1½ percent of the total funds appropriated under the National School Lunch Act for advances to State educational agencies for administrative purposes. However, no such agency would receive more than 1 percent of the funds apportioned to it under the Act or \$7,500, whichever is greater.

Section 18 provides that in the selection of schools and nonprofit institutions to receive Federal assistance under the special milk and other programs being added to the National School Lunch Act, the State agency shall adopt methods and procedures necessary to assure coordination with programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions and, in cases of comparable need, give preference to these schools or institutions. The Elementary and Secondary Education Act of 1965 provides among other things for financial assistance to local educational agencies for the education of children of low-income areas. The purpose of the Economic Opportunity Act of 1964 is to eliminate poverty. Sections 611 and 612 of the latter Act now require other agencies, in the administration of related programs, to cooperate and assist in carrying out the purpose of the latter Act and to give preference to applications made in connection with community action programs under the latter Act.

Section 19 requires schools and nonprofit institutions participating in the breakfast program to use to the extent practicable foods designated by the Secretary as being in abundance, and to receive foods donated by the Department of Agriculture.

Section 20 requires all food and milk service programs receiving assistance under the Act to be operated on a nonprofit basis. This is similar to the requirement under the National School Lunch Act.

Section 21 provides that information on numbers of children, ages 5 through 17, and on per capita income shall be made available by the Secretary of Commerce and, unless otherwise specified, shall be the latest available.

Section 22 authorizes regulations.

Section 23 prohibits—

(a) the Secretary and the States from imposing any requirements with respect to teaching personnel, curriculum, or materials of instruction in carrying out the special milk or other programs added to the National School Lunch Act. A similar provision now applies to the national school lunch program.

(b) the value of assistance to children under the National School Lunch Act from being considered as income or resources for purposes of other programs.

(c) State and local expenditures for food programs for children from being reduced as a result of funds received under the National School Lunch Act.

Section 24 authorizes the Secretary to extend the benefits of school feeding programs under the Act to pre-school programs operated as part of the school system.

The CHAIRMAN. Now, Mr. Secretary, you have just heard me place in the record my conception of the bill before us. If it is not as I stated, I wish you would say so.

My understanding is that you have a prepared statement.

Secretary FREEMAN. Yes; I do have a short statement.

The CHAIRMAN. Do you mind being interrupted as you go on, or do you want to read the whole statement and then be subjected to questions?

Secretary FREEMAN. Either way, Mr. Chairman. I would be pleased to be interrupted if any questions arise.

The CHAIRMAN. OK. You may proceed.

## STATEMENT OF HON. ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE

Secretary FREEMAN. Mr. Chairman, and members of the committee. I noted the statement you made, Mr. Chairman, and I think it accurately summarizes the provisions of S. 3467, and as such I will direct my testimony to the bill as introduced by the chairman.

The chairman very thoughtfully noted for the record that there were some provisions in the Child Nutrition Act as submitted by the administration, primarily those that would have involved child feeding programs of a special nature outside of the school system. These programs are not covered under S. 3467, and, as a result, my testimony will be directed to S. 3467, rather than to those which have been touched on before this committee earlier.

The CHAIRMAN. Mr. Secretary, at this point, I wonder if you could place in the record the programs under which the Government is giving assistance to the poor under various poverty programs?

If you do not have that information available, I think it would be well to later put it into the record at this point.

(The information is as follows:)

#### SUMMARY OF OTHER LEGISLATIVE AUTHORITIES UNDER WHICH LOCAL SCHOOL LUNCH PROGRAMS MAY RECEIVE SUPPLEMENTARY ASSISTANCE

1. The major legislation under which this type of activity is being conducted is the Elementary and Secondary Education Act of 1965. A number of food service programs are being conducted with funds provided under Title II—Financial Assistance to Local Educational Agencies for the Education of Children of Low-Income Families and under Title III—Supplementary Educational Centers and Services.

A survey of the food service proposals submitted by local educational authorities to the State educational agencies indicates that as much as \$16 million may have been earmarked in fiscal year 1966 for food service nationwide. No information is available yet on actual expenditures.

2. Title II of the Economic Opportunity Act has also been a source of funds for child food service. The Head Start Program, whether a summer or a year-round activity—whether administered by the school system or by a private agency—has funded food service for the children enrolled. This food service is entirely free of charge to the child.

Beyond this, under Title I of the Economic Opportunity Act, all of the food assistance programs for children have been made approved work stations for young people enrolled in the Neighborhood Youth Corps and for adults enrolled in the Work Experience Programs. These food assistance programs offer job and training opportunities while providing a general public service. OEO funds have eased the impact of labor costs in many localities.

There is no specific estimate available as to the total amount of money involved directly and indirectly in the OEO assistance to USDA's food programs.

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#### RÉSUMÉ OF USDA'S FOOD ASSISTANCE PROGRAMS AS THEY AFFECT LOW-INCOME GROUPS

The U.S. Department of Agriculture administers a group of four related food assistance programs. They are the food stamp and commodity donation programs for low-income families and the school lunch and special milk programs for children.

##### THE FOOD STAMP PROGRAM

This program improves the diets of low-income households and expands the market for domestically produced foods by supplementing the food purchasing power of eligible low-income families.

Families exchange the money they would normally be expected to spend for food for coupons worth more. The U.S. Department of Agriculture pays for the difference between the amount each family pays and the total value of food coupons it receives.

The coupons are used to buy food in retail stores. Except for items labeled as imported, the coupons may be used to buy any food for human consumption. Retailers redeem the coupons at face value at their local banks or authorized wholesalers.

Families may participate if they live in an area that has the program, are found by local welfare officials to be in need of food assistance, are receiving some



form of welfare assistance or are unemployed, part-time employed, working for low wages, or living on limited pensions. If families are not receiving welfare assistance, eligibility is based on family size and income, and their level of liquid assets.

The Food Stamp Act of 1964 allows for gradual expansion of the program over the period of the next few years into areas of the country that want and need it. The State agency responsible for Federally-aided public assistance programs submits requests for the program to USDA's Consumer and Marketing Service on behalf of local political subdivisions that want to participate.

At the present time, 325 areas in 40 States, as well as the District of Columbia are participating in this program. An estimated 1.2 million people in these areas are benefiting. The budget request for fiscal year 1967, now pending before the Congress, provides for a 50-percent increase in this program from the \$100 million appropriated this fiscal year to \$150 million in fiscal year 1967.

#### THE COMMODITY DONATION PROGRAM

This program helps to improve the nutrition of school children and families in need of food assistance and to increase the market for domestically produced foods acquired under surplus removal and price support operations. Available foods may be donated to nonprofit school lunch programs, summer camps for children, needy Indians on reservations, charitable institutions serving needy persons, and State and local welfare agencies for distribution to low-income households.

All States have a donation program for one or more of the eligible outlets cited above. The U.S. Department of Agriculture pays for processing and packaging of foods and for transporting them in earload lots to receiving points chosen by the State. State and local governments pay all costs of intrastate transportation, storage, distribution and, in the case of low-income households, certification.

Any local government may participate in the needy family program. If a county or city can demonstrate that it cannot finance a donation program for its low-income families, the Office of Economic Opportunity will consider an application for assistance under the Community Action Program.

At the present time, over half the counties and more than 200 cities have a donation program for low-income families. In April, some 4.5 million people participated in the donation program.

If an area moves into the Food Stamp Program, the donation program for low-income families is suspended.

#### THE NATIONAL SCHOOL LUNCH PROGRAM

This program provides commodity and cash grants to State educational agencies to assist them in providing adequate school lunches. This helps safeguard the health and well-being of children and encourages the consumption of domestically produced foods.

Cash grants are distributed by the State agencies for food assistance to schools participating in the program. Part of the appropriation may be used by the Secretary of Agriculture for direct purchase of food to be donated to the States for distribution among participating schools.

Not less than 75 percent of the sum appropriated each fiscal year is allotted to States on the basis of their participation rate and their assistance need rate.

In accordance with the National School Lunch Act, State educational agencies enter into an agreement with the Secretary of Agriculture that sets forth their mutual responsibilities. The State agencies, in turn, enter into agreements with participating public and nonprofit private high schools and grade schools. Private schools contract directly with the Department of Agriculture in those States where the State educational agency may not, by law, administer the program in such schools.

To be eligible, schools must agree to: operate the lunch program on a nonprofit basis; serve meals that meet nutritional requirements established by the Secretary of Agriculture on the basis of tested research; provide lunches free or at reduced price to children who are unable to pay the full price.

This year, 18 million children in 71,000 schools will consume a record 3 billion lunches. Under the regular program, some 1.6 million of these children will have lunch served at reduced price or free. In addition, with the \$2 million appropriated by the Congress for special assistance to particularly needy schools, some 60 percent of 325,000 children attending 817 demonstration schools will benefit from a good lunch.

## THE SPECIAL MILK PROGRAM

This program provides assistance in the form of reimbursement payments to encourage the consumption of fluid whole milk by children in public and nonprofit private schools of high school grade and under, nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions that provide for the care and training of children.

In all States, the program is administered in public schools by the State educational agency. In some States this same agency may handle the program in private schools and child-care institutions, but in other States some other State government agency or the U.S. Department of Agriculture may administer the program.

Special provision has been made to reimburse up to the full cost of each half pint of milk served in schools that draw attendance from particularly needy areas. An estimated one million children are receiving free milk under the program this year in these and other schools.

The CHAIRMAN. As you recall, when I discussed the matter with you, it was my belief that we should keep the school lunch program intact and not take in any other programs that are now on the statute books that contemplate assistance outside of the schools.

Secretary FREEMAN. I certainly agree with the chairman's expression in that respect, that it is highly desirable that these programs be coordinated and related.

Senator AIKEN. To the poverty programs?

Secretary FREEMAN. Related with the ongoing programs, the school lunch programs and the school milk programs, as they now exist.

Senator AIKEN. You refer to the school lunch program and the school milk program in the same breath almost. Does this bill provide that preference shall be given to putting the school milk program under the poverty program and not the school lunch program?

Secretary FREEMAN. I do not think it does.

Senator AIKEN. Section 18 says that. How does section 18 of this bill come to say that?

Secretary FREEMAN. It is something that must have escaped me then.

Senator AIKEN. It says:

In the selection of schools and nonprofit institutions to receive Federal assistance under sections 13, 14, and 15 of this Act, the State agency shall adopt the methods and procedures necessary to assure coordination with and give, where the need is comparable, preference to programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions.

Does not that almost give direction to put the school milk program under the poverty program, but also fixes \$2,000 as the poverty level rather than the \$3,000 which is the amount adopted for other programs by most of the States, particularly the stamp plan?

Secretary FREEMAN. That was not the intent. This is a general coordinating section. I think that this language could be improved, considering that there are currently some milk and school lunch programs that are carried forward under these two acts. We would envision and anticipate—

Senator AIKEN. I think that they could be coordinated.

Secretary FREEMAN. That these programs should be carried on under the overall umbrella of the current program.

Senator AIKEN. I would hate to see the programs that have worked wonderfully well discarded and have the substance of those programs



incorporated in another program which has not worked at all, as the record shows.

The CHAIRMAN. Mr. Secretary, you will recall that that was the burden of my argument to you.

Secretary FREEMAN. Yes, sir.

The CHAIRMAN. Here is a program that we have had on the books now for 20 years. It was worked well. I do not want to mix it in with the "Headstart" or "Head-on," or whatever you might call the programs in the poverty program. What we want to do is to try to maintain the school lunch program and to improve on it. That is what I would like to see.

Of course, if there is conflict in the furnishing of food to people outside of the schools by some other agency, well, that is one thing, but I think that we ought to keep this act intact. Of course, when we go over this, the committee as a whole, and with our counsel here, we want to be certain that the school milk program will stand on its own foundation free from any other programs that the Government now has on the statute books.

Secretary FREEMAN. I think that the language of section 18 can be improved.

Senator AIKEN. Yes, materially.

The CHAIRMAN. You might strike it out, because we do not want to have it connected with any of these outside programs.

Senator AIKEN. Certainly, the school lunch program has been a wonderful program. The school lunch program and the school milk program have been wonderful programs and should be coordinated programs. I go along with the breakfast program, where they meet up with a different aspect, but I do not want to put them under the poverty program. I cannot go along with that, until the poverty program has demonstrated its benefits and has made more progress than it has to date.

The CHAIRMAN. Mr. Secretary, there is another point, and I am sure that you are going to emphasize it as we go along. At the last meeting we had of this committee, I suggested that the special milk program, which was set on the statute books years ago more or less to assist the producers of milk, be written in connection with our school lunch program. I thought that is where it belonged, because it would mean better administration. That is why I suggested it be done. If you have any views different from that, I wish that you would state it as you go along with your statement.

Secretary FREEMAN. I think that is perfectly consistent with the purpose that the chairman outlined initially, and I think it is very logical and appropriate that the provision for the extension of the special milk program should be included as a part of the overall combination of school lunch and school milk programs.

Senator AIKEN. They coordinate very well.

Secretary FREEMAN. And are administered in common, and it will be a better program.

Senator AIKEN. The school lunch program established 20 years ago was a means of reducing the surplus, if my memory is correct.

Secretary FREEMAN. It was subsequently proven to be humanitarian and an important service program that resulted from the stimulus of economic necessity at a given time and place.

Senator AIKEN. And one of the best programs we have devised so far.

The CHAIRMAN. Which is that?

Senator AIKEN. The school lunch program.

The CHAIRMAN. Of course it is.

Senator AIKEN. I believe it was the present Vice President who got us to extend it to day camps a few years ago so the children of the poor areas could be helped. I thought that was worthwhile.

The CHAIRMAN. In that connection, Senator Aiken, I may say that when Vice President Humphrey was a member of this committee, of course, he did all that he could to assist the milk people of his State, and I do not blame him for that. This extra milk program, as I recall, was to assist the producers more than the consumers of this milk. It is all right to have Congress appropriate the money necessary to have this excellent program, but what I would like to see, and I want to reiterate this, is that it be more or less for the school-children, that it be operated in connection with the school lunch program.

You may proceed, Mr. Secretary.

Secretary FREEMAN. Thank you, Mr. Chairman.

I welcome this opportunity to testify in support of S. 3467, a bill to amend the National School Lunch Act to strengthen and expand the child nutrition programs in this country today.

These amendments comprise a vital part of the administration goal to continue the progress now being made in the national school lunch program and to make this program a more effective instrument in meeting the needs of millions of children in this country for better nutrition.

I would like in this testimony to describe the child nutrition goals of this administration, to discuss the need that has given rise to them, and to clear up some misunderstandings and to correct some misinformation about them.

The administration seeks to provide every child, regardless of the wealth of his or her parents, with an opportunity for a full and adequate meal at school.

Specifically:

We want to double the number of children who now receive a free or reduced cost meal through the school lunch program.

Senator AIKEN. What percentage participate now?

Secretary FREEMAN. About 1 million out of 17 million.

Is that right, the number that participate and get free or reduced cost lunches?

**STATEMENT OF HOWARD P. DAVIS, DEPUTY ADMINISTRATOR  
FOR CONSUMER FOOD PROGRAMS, CONSUMER AND MARKETING  
SERVICE, U.S. DEPARTMENT OF AGRICULTURE**

Mr. DAVIS. About 1 million.

Senator AIKEN. Only 1 million?

Mr. DAVIS. Two million, about 10 percent of the total.

Senator AIKEN. How many participate in the lunch program?

Mr. DAVIS. About 50 percent of the schoolchildren participate in schools with the school lunch program.

Senator AIKEN. Yes; 50 percent of the total?

Mr. DAVIS. Yes, sir.

Senator AIKEN. That is different in different regions; is it not?



Mr. DAVIS. It varies considerably by States.

Senator AIKEN. By regions; yes.

Senator YOUNG. Which States have the least participation?

The CHAIRMAN. I wonder if you could put a list of the States in the record, if you have it there, that participate? That would be helpful for the record. That would be the best way to do it.

(The information is as follows:)

### NATIONAL SCHOOL LUNCH PROGRAM

*Number of children and schools participating, fiscal year 1965<sup>1</sup>*

State	Children in elementary and secondary schools			Elementary and secondary schools
	Total enrollment <sup>2</sup>	Number participating	Percent participation	Number participating
	(1)	(2)	(3)	(4)
<b>Northeast:</b>				
Connecticut.....	669,579	172,290	25.7	705
Delaware.....	123,759	41,573	33.6	152
District of Columbia.....	166,396	23,462	14.1	47
Maine.....	253,446	89,471	35.3	648
Maryland.....	872,372	255,330	29.3	980
Massachusetts.....	1,253,069	424,079	36.8	1,354
New Hampshire.....	160,270	52,204	32.6	324
New Jersey.....	1,551,245	252,672	16.2	1,077
New York.....	3,967,000	1,240,248	31.3	4,041
Pennsylvania.....	2,822,290	806,253	28.6	3,166
Rhode Island.....	263,401	36,317	17.9	181
Vermont.....	99,562	37,222	37.4	335
West Virginia.....	453,248	191,663	42.3	1,402
Area.....	12,595,637	3,622,784	28.8	14,412
<b>Southeast:</b>				
Alabama.....	850,639	431,777	50.8	1,493
Florida.....	1,271,360	643,659	50.6	1,627
Georgia.....	1,067,981	621,044	58.2	1,839
Kentucky.....	750,933	451,698	60.1	1,817
Mississippi.....	597,854	318,194	53.2	982
North Carolina.....	1,197,911	689,731	57.6	1,896
Puerto Rico.....	679,994	276,902	40.7	2,161
South Carolina.....	648,408	375,818	58.0	1,184
Tennessee.....	895,431	440,486	49.2	1,767
Virginia.....	1,024,455	467,909	45.7	1,646
Virgin Islands.....	12,269	8,250	67.2	31
Area.....	8,997,235	4,725,468	52.5	16,443
<b>Midwest:</b>				
Illinois.....	2,567,343	571,800	22.3	3,283
Indiana.....	1,228,180	463,678	37.8	1,809
Iowa.....	717,131	359,766	50.2	1,707
Michigan.....	2,253,620	512,658	22.7	2,228
Minnesota.....	955,922	455,369	47.6	1,673
Missouri.....	1,114,312	464,478	41.7	2,520
Nebraska.....	373,864	149,002	39.9	714
North Dakota.....	168,127	87,261	51.9	571
Ohio.....	2,610,024	772,528	29.6	2,582
South Dakota.....	187,345	64,467	34.4	349
Wisconsin.....	1,087,415	370,284	34.1	2,392
Area.....	13,263,283	4,272,291	32.2	19,828
<b>Southwest:</b>				
Arkansas.....	460,484	234,627	51.0	1,010
Colorado.....	519,128	195,878	37.7	970
Kansas.....	557,861	228,211	40.9	1,142
Louisiana.....	927,337	643,926	69.4	1,679
New Mexico.....	287,330	114,806	40.0	545
Oklahoma.....	621,300	235,446	37.9	1,576
Texas.....	2,614,277	800,870	30.6	3,334
Area.....	5,987,717	2,453,764	41.0	10,256

See footnotes at end of table, p. 14.

*Number of children and schools participating, fiscal year 1965* <sup>1</sup>—Continued

State	Children in elementary and secondary schools			Elementary and secondary schools
	Total enrollment <sup>2</sup>	Number participating	Percent participation	Number participating
	(1)	(2)	(3)	(4)
Western:				
Alaska.....	58,298	19,322	33.1	119
Arizona.....	397,295	149,493	37.6	500
California.....	4,531,400	882,503	19.5	4,025
Guam.....	21,124	6,199	29.3	29
Hawaii.....	188,033	126,155	67.1	215
Idaho.....	181,505	81,521	44.9	509
Montana.....	185,643	56,853	30.6	489
Nevada.....	103,804	17,222	16.6	107
Oregon.....	475,871	184,543	38.8	988
Samoa, American.....	8,047	4,010	49.8	23
Utah.....	288,731	132,487	45.9	476
Washington.....	776,174	258,117	33.3	1,440
Wyoming.....	91,926	31,906	34.7	273
Area.....	7,307,851	1,950,331	26.7	9,193
Grand total.....	48,151,723	17,023,638	35.4	70,132

<sup>1</sup> Data for December 1964 and represent the average number of children participating in the program for that month. The number of schools and children may have been higher in some States during other months but December was the peak month of participation nationally.

<sup>2</sup> Source: Latest data available from the Office of Education. Enrollment data for public schools are for fall 1964. Private school enrollment is for 1961-62.

Secretary FREEMAN. To respond to the initial question, there are about 2 million of the 17 million who receive free or reduced price lunches, and they include milk.

Senator AIKEN. The States now have authority to determine what group of children shall pay for their milk, according to their economic status?

Secretary FREEMAN. The States do have the authority. As a matter of fact, more than that, they are, in effect, requested, at least the standard is set down, that they should make a provision for reduced price or for free lunches for the children who cannot afford it. However, the States do not do that across the board, and they miss many who should have reduced price or free lunches. They do this, because, they say, the resources are not adequate to provide free lunches for everyone, and, therefore, they feel they serve the greater good by using limited resources to reach a greater number of children, some of whom, otherwise, would not be reached if they used the resources for free lunches for those who cannot afford to pay anything.

So, one of the main thrusts of our whole effort here is to try and supplement the States and have a special program with a special requirement that those children will be reached who, otherwise, are now being missed.

Senator AIKEN. But they can require the participants in the school lunch programs to pay 60, 80, even 100 percent of the full cost?

Secretary FREEMAN. That is correct.

Senator AIKEN. And the Department and the Secretary impresses on them that they should require those who are perfectly able to pay to pay?

Secretary FREEMAN. That is correct.

Senator AIKEN. So that the money available can be used for those who cannot pay or cannot pay much?

Secretary FREEMAN. That is right.

Senator TALMADGE. What percentage of the cost is borne by the State in this school program?

Secretary FREEMAN. The States bear how much of that?

Mr. DAVIS. About 12 cents of the 50-cent meal.

Secretary FREEMAN. 12 cents would be to the States, about that.

Senator TALMADGE. Is that in services, or in money, or both?

Mr. DAVIS. In both.

Secretary FREEMAN. Both.

The CHAIRMAN. The Chair would suggest that we place in the record at this point the table showing the comparison of the free or reduced luncheon with the total lunches served by States and area for 1964-65.

(The table is as follows:)

### NATIONAL SCHOOL LUNCH PROGRAM

*Comparison of free or reduced-price lunches with total lunches serviced, by State and area, 1964-65*

State	Total lunches served <sup>1</sup>	Free or reduced-price lunches	
		Number	Percent of total
	(1)	(2)	(3)
<b>Northeast:</b>			
Connecticut .....	29,348,831	697,744	2.4
Delaware .....	7,192,173	140,916	2.0
District of Columbia .....	4,186,518	1,710,453	40.9
Maine .....	14,637,454	1,329,743	9.1
Maryland .....	44,742,205	1,559,998	3.5
Massachusetts .....	72,885,619	3,636,312	5.0
New Hampshire .....	8,615,215	543,440	6.3
New Jersey .....	43,796,839	2,190,097	5.0
New York .....	210,711,502	55,892,635	26.5
Pennsylvania .....	137,676,776	10,492,671	7.6
Rhode Island .....	6,011,894	75,473	1.3
Vermont .....	5,035,513	416,017	8.3
West Virginia .....	31,608,541	4,954,081	15.7
Area, total .....	616,449,080	83,639,580	13.6
<b>Southeast:</b>			
Alabama .....	72,807,405	5,509,901	7.6
Florida .....	114,110,593	10,128,110	8.9
Georgia .....	109,136,579	9,113,229	8.4
Kentucky .....	77,276,278	10,570,097	13.7
Mississippi .....	53,034,314	4,537,013	8.6
North Carolina .....	122,045,768	7,821,067	6.4
Puerto Rico .....	48,722,263	48,426,190	99.4
South Carolina .....	64,520,502	7,042,552	10.9
Tennessee .....	75,107,292	10,030,497	13.4
Virginia .....	82,956,631	4,800,521	5.8
Virgin Islands .....	1,388,632	1,388,632	100.0
Area, total .....	821,106,257	119,367,809	14.5
<b>Midwest:</b>			
Illinois .....	101,715,484	3,118,096	3.1
Indiana .....	76,355,231	2,274,988	3.0
Iowa .....	60,941,841	1,881,757	3.1
Michigan .....	83,880,115	4,036,305	4.8
Minnesota .....	73,867,050	2,582,346	3.5
Missouri .....	77,916,381	3,552,936	4.6
Nebraska .....	23,653,378	1,494,899	6.3
North Dakota .....	14,491,633	804,530	5.6
Ohio .....	134,673,541	7,447,347	5.5
South Dakota .....	10,980,827	1,205,198	11.0
Wisconsin .....	62,041,690	2,797,918	4.5
Area, total .....	720,517,090	31,196,320	4.3

See footnote at end of table, p. 16.



*Comparison of free or reduced-price lunches with total lunches served, by State and area, 1964-65—Continued*

State	Total lunches served <sup>1</sup>	Free or reduced-price lunches	
		Number	Percent of total
	(1)	(2)	(3)
Southwest:			
Arkansas.....	38,934,642	3,356,274	8.6
Colorado.....	32,766,462	1,630,276	5.0
Kansas.....	38,454,077	842,905	2.2
Louisiana.....	110,189,027	12,312,178	11.2
New Mexico.....	19,663,931	3,390,000	17.2
Oklahoma.....	39,362,057	4,024,167	10.2
Texas.....	133,630,857	9,491,515	7.1
Area, total.....	413,001,053	35,047,315	8.5
Western:			
Alaska.....	3,281,131	1,058,299	32.2
Arizona.....	25,657,540	3,246,256	12.6
California.....	139,904,271	5,738,148	4.1
Guam.....	1,214,215	118,360	9.7
Hawaii.....	22,241,851	870,318	3.9
Idaho.....	13,291,520	325,613	2.4
Montana.....	9,653,082	952,752	9.9
Nevada.....	2,901,057	198,357	6.8
Oregon.....	31,007,047	625,583	2.0
Samoa, American.....	549,322	388,045	70.6
Utah.....	22,863,185	1,340,275	5.9
Washington.....	43,394,027	1,596,211	3.7
Wyoming.....	5,228,956	130,407	2.5
Area, total.....	321,187,204	16,588,624	5.2
Total.....	2,892,260,684	285,839,648	9.9

<sup>1</sup> Does not include 214,337 type C lunches served in Guam. No type C lunches are served free or reduced.

Secretary FREEMAN. Also, specifically:

We want to insure that a child who arrives at school with an empty stomach does not have to wait until lunch before he or she gets anything to eat.

We want to extend the administrative machinery that has worked so well for the national school lunch program to the new activities and provide administrative funds to the states to make this possible.

These goals have one very simple objective. A generation of experience in the school lunch program has demonstrated convincingly that the learning process functions best when a child has enough to eat.

Good nutrition is basic to a healthy, alert child, and to a healthy, alert, and inquisitive mind.

I know I do not need to convince you or the American people of this fact. The record of the school lunch program over the past generation speaks amply in this regard.

This year in some 71,000 schools across the Nation more than 18 million children will be consuming a record 3 billion lunches. This program represents the largest single group feeding effort anywhere in the world. It supports a business with an annual volume of some \$1.5 billion. Significantly, the largest portion of this cost is provided at State and local levels, including payments from the children who receive the food. Federal support, which in dollars and donated food from surplus stocks amounts to about \$325 million a year is largely a catalyst to encourage the States to establish the program and the schools to participate in it.

Over the years, the program growth has been steady and sound at an annual rate of 6 to 8 percent. We have been pleased by this growth. But we also are concerned that malnutrition still curtails the learning capacity of too many children today.

Shortly after I came to the Department, I asked that a survey be made of the child nutrition efforts we were carrying out. I wanted to know just where we stood, how successfully was the Nation, blessed with an abundant agriculture, meeting the needs of its children. Were we, for example, reaching children most in need of improved nutrition?

The results were jarring, to put it mildly. We found a gap which was steadily growing, and would continue to grow unless additional steps would be taken to meet it.

We found there were 9 million children in schools with no food service.

One million of these are children of poverty and should have a free or reduced price meal, if it were available.

Beyond this, we found another half million needy children in schools equipped with lunch facilities who should also have free or reduced price meals, but who could not because local resources were inadequate.

The schools without facilities are, for the most part, those in downtown urban areas or in isolated rural areas. A great many of these schools draw attendance from children of low-income families. These schools and these children need help.

In addition to the need for low-cost lunches, a new problem has developed in recent years which adds greatly to the nutrition gap among young people. Too many of our children arrive at school without a proper breakfast. Many children in rural areas travel long distances by bus while in urban areas a child's parents often have to leave for work an hour or more before the child leaves for school. Neither situation is conducive to a good start for the day as far as the child is concerned.

Let me quote from a recent publication, "Education: An Answer to Poverty," issued by the Office of Education and the Office of Economic Opportunity:

Scientific studies have shown conclusively that the process of learning virtually ends when a human being becomes uncomfortably hungry. When a child appears at school in the morning having had little or no breakfast, he might just as well have stayed at home. The teacher's effort is wasted. The curriculum, the long hours of professional preparation, the value of textbooks and teaching aids are lost upon him. Similarly, a child without lunch loses most of the value of a school afternoon. A hungry child not only injures himself, but his discomfort may subtly disturb the teaching of a whole class.

The brief review of the youth nutritional gap describes some of the problems which confront us, and which should be of concern to all Americans. In recent years we have attempted to meet the nutrition gap within existing legislation, with varying degrees of success.

During the 1961-62 school year, we recommended and the Congress provided for a special commodity assistance program for needy schools. We developed what might be called a school lunch CARE package containing the essentials for a lunch. This was shipped to participating schools. It was a less than adequate solution.



In the winter of 1962-63, through the vigorous cooperation of the Kentucky State school lunch staff and local officials, we tried another approach to getting a lunch program started in isolated one- and two-room schools in the Appalachian area of eastern Kentucky.

In the course of several months we were able to start a lunch program in 380 schools with an enrollment of about 11,000 children. In most of these schools, space for food storage, preparation, and service was virtually nonexistent. Sanitation facilities were no better. But the job was done, using two-burner hotplates, second-hand refrigerators and asking the children to bring a plate and utensils from home.

The State School Lunch Director diverted extra Federal school lunch money to these schools as well as extra donated commodities to provide a type A lunch. As you can well imagine, this whole program required an enormous effort and cooperation among all those involved, and the results in terms of improved health, attendance, and attention among participating children made the effort more than worthwhile.

We have explored, too, and made a special study of the problem of getting the lunch program to downtown urban schools where there are no food service facilities and no place to put them. There are several ways of coping with this need, such as centralized kitchen operations to service satellite school lunch programs. The few test projects which have been carried out indicate that central kitchen facilities can be very effective in these situations.

The greatest success we have achieved thus far in the effort to show that the child nutrition gap can be closed was initiated this school year with a \$2 million appropriation the Congress made for this fiscal year.

The appropriation under section 11 of the National School Lunch Act—which authorizes additional funds to help provide low-priced lunches—gave us a chance to show what could be done with a little money and a lot of determination.

We have developed 817 demonstration projects throughout the country—at least 1 in every State, District of Columbia and Puerto Rico—to enable schools in low-income districts to reduce the price of lunches by as much as 10 to 15 cents, to as low as 10 to 15 cents per meal in many areas, and provide many free meals.

Most of these demonstration schools have lunch facilities, but were unable to provide free or reduced-price lunches to all the children who could not pay the regular price. Some 60 percent of the 325,000 children attending these schools are now participating in the lunch program—an increase of 60 percent over participation before section 11 special assistance was available.

Statistics alone do not tell the full story of the success of this program. You only begin to see this when you read the reports which tell of the decrease in absenteeism or the drop in the time lost when a child, weakened by hunger, became dizzy or sick from stomach cramps and had to leave the classroom. There are notes of unmistakable joy in the words of teachers and school nurses when they tell of the increase in growth and weight of the children.

These are not isolated results. They run as a common thread through the reports and letters from demonstration projects in each area. In this respect, the project here in the District's Shaw Junior High School is typical.

When the demonstration program began in January, the price of the school lunch was reduced from 30 cents to 20 cents, and the number of lunches served doubled from about 300 a day to over 600. For most children, the lunch provides almost half of their daily nutrition needs. For some, the school lunch is often the only good meal the children get all day.

The school nurse reports that the change in students, particularly the needy students, has been remarkable. Complaints of stomach cramps have dropped, and the attention span of students has increased.

These results demonstrate clearly that the child nutrition gap can be closed, and that the States and the local schools are both willing and able to attack this problem vigorously and effectively, if they have help.

That is why I am here today, to ask the Congress to provide the assistance which the local schools and the States are ready to apply to insure that children throughout this country will have the opportunity for a full meal.

This will require both appropriations and new authority.

The measures which this committee is considering today will authorize some of the new steps which must be taken if the child nutrition gap is to be closed.

S. 3467 will authorize:

1. A pilot breakfast program for schools in low-income districts for a period covering the next 3 fiscal years. These breakfast programs will be similar to a number of special projects which have been conducted in the current school year with generally favorable results.

2. A permanent program to assist low-income school districts to acquire school food service equipment where they are not now available.

3. A special milk program for the next 4 fiscal years which would continue in effect the present special milk program. I would suggest for your consideration that the 4-year limitation be removed so the program may be made permanent and that the \$100 million limitation on authorizations be eliminated. We see no basis for limiting the duration of the program. In addition, there are no appropriation limitations under the other proposed amendments.

4. The use of Federal funds to help State agencies to defray administrative costs of the new programs.

The CHAIRMAN. On that point, Mr. Secretary, will you tell us what the yardstick would be used, in regard to the use of these administrative funds which come from the Federal Government?

Secretary FREEMAN. Well, we would make these funds available to all the States who proceeded to carry forward the program which is outlined here, to expand and strengthen their programs. This would involve considerable, by way of administrative work and more personnel and action to get out in the areas where there have not been programs and where there is not currently leadership, and to provide some of it to get them started. It is our best judgment that in the absence of some kind of assistance—and the assistance contemplated here is only a maximum of \$7,500; therefore, quite modest, but in the absence of this, this program would be slow in starting in many of the States.

The CHAIRMAN. Well, the States, as I understand it, pay the whole amount now, do they not?



Secretary FREEMAN. Yes, they do.

The CHAIRMAN. The administrative expense.

Secretary FREEMAN. Yes.

The CHAIRMAN. And here you are permitting the use of Federal funds for that. My fear is that this amount may be increased and we would find ourselves with the Government carrying more of this administrative cost than we contemplated. It would seem to me that this school lunch program has been well handled because of the fact that you had full cooperation at the local level—the fathers and the mothers and the local people supported it and made it a success. I would certainly think that we should have certain yardsticks so as not to interfere with the present method of having the local people contribute whatever is necessary to operate these programs. If administrative costs are to be used in areas where the local community cannot afford it, that is one exception, but I would certainly dislike to see the present system changed in any manner, because, I repeat, the fact that the local people interest themselves in this and make a go of it has, in my opinion, spelled its success.

Secretary FREEMAN. I think that the chairman's remarks are very valid. We do not contemplate that there would be any changes. I think the relationship between the State and the Federal Government in this program would continue as is. This merely provides some additional resources which we believe will be well used and are important in reaching our objectives.

As a matter of fact, Mr. Chairman, a good bit of the recent legislation has provided for a sharing of the administrative costs. The Elementary and Secondary Education Act is an example.

The CHAIRMAN. And do not mix it in with the school lunch program. I understand that we have laws on the statute books now that will be handled by the Department of Health, Education, and Welfare, with some administrative funds that are going to be furnished, and I cannot see any reason why we should go into it. I wish you would be more specific in that respect and give us such yardsticks as you think it would be wise to place in the bill so that our programs will not be disturbed.

Secretary FREEMAN. We would not have any objection, Mr. Chairman, to a statement in the bill that the current administrative relationship and the responsibility as it has worked out in the past would continue. This provision would merely provide some administrative funds which the States would then have available and which, presumably, would be matched by equivalent funds for administrative purposes, so that the program could get under way.

The CHAIRMAN. What program are you talking about? This one, or the one administered by the Department of Health, Education, and Welfare for the elementary schools?

Secretary FREEMAN. This program that is being administered through the Department of Agriculture, the school lunch program, and not the program of the Department of Health, Education, and Welfare, or not the program of the Office of Economic Opportunity, or their food related programs. This relates directly to the administration of the school lunch program, with special emphasis on the amendments which would involve an expansion of that program. And they are set down in the chairman's bill.



The CHAIRMAN. In respect to the nonfood provision, have you any specific recommendations to make as to what yardsticks you are going to use in order to make a community amenable to whatever funds we provide for that purpose?

Secretary FREEMAN. Well, there is spelled out—the purpose is spelled out in some detail here in the bill, and it would be the money which would be distributed, based upon the school living up to the standards that would be the product of the regulations which would flow from this bill, assuming that it would pass.

The CHAIRMAN. Well, that would not in any manner affect those communities where we now have programs in which they have been capable of providing their own funds for nonfood equipment.

Secretary FREEMAN. No. This is, I think, pretty well set out as follows, in the language as it is now before the committee:

There is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each fiscal year thereafter such sums as may be necessary to enable the Secretary to formulate and carry out a program to assist the states through grants-in-aid and other means, to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving food to enable such schools to establish, maintain, and expand school food service programs.

The CHAIRMAN. That is what I wanted to bring out. I was familiar with the language, of course, in the bill, but I wanted to be certain that we provided some kind of yardstick whereby it is only those areas where the communities are unable to provide the facilities that the Government would come in and give assistance under that section of the bill.

Senator BOGGS. Are we talking about section 17?

Secretary FREEMAN. Section 15, right now, on page 6.

Senator BOGGS. Section 17 covers this, does it not?

Secretary FREEMAN. I think that you are right, Senator Boggs. Section 17 provides additional administrative funds would be used for implementing these sections of this bill, and I think what Senator Ellender is asking about is whether the funds to be made available to provide special facilities where there are apparently nonexistent would be used where needed and not be used in the areas where the school districts themselves had and could provide the facilities.

Senator BOGGS. I understand that, but I misunderstood the chairman. I thought he was talking about the administrative costs.

The CHAIRMAN. I was talking about the nonfood requirements, and that appears on page 7, beginning, in fact, under 15(c), which reads:

Funds apportioned and paid to any state for the purpose of this section shall be disbursed by the state educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school or food service program, and to acquire such facilities.

In other words, I was in hopes that we could have testimony to indicate that wherever a community is able to do itself, that the Federal Government would not step in and do it, because we would have a lot of feet dragging if we start a program where the Government is going to begin to put in moneys to provide equipment. Of course, that would also apply to the administrative end. This program has been successful, I repeat, because of the fact that the local people took

such an interest in it and did a lot of work to assist the children, and we do not want to get away from that principle.

Secretary FREEMAN. Mr. Chairman, we are not without experience in this respect. The current programs under the appropriation of \$2 million have directed themselves to the school districts that cannot afford and have not made this school lunch available, and this has worked, we feel, satisfactorily. It has not resulted in any inhibition of the initiative or responsibility by the school districts who are able and who have gone forward under the basic program, and I would want to show that if this section can be strengthened in that regard, we have no objection to administrative regulations to carry forward section 15(c) which would be developed to make certain that these funds were used for the purpose the chairman indicates and not used in any way to inhibit the program which is now working effectively in other districts.

The CHAIRMAN. I wonder if you or Mr. Davis could tell us whether or not there are some districts which have the capability, but a lack of interest exists. In a case like that, are we going to step in and provide funds for this program that is set up?

Secretary FREEMAN. I will let Mr. Davis comment on that, from an operating standpoint, because he has been operating it for a good many years.

It would be my judgment that the language is such that the intent of Congress would be very clear that if this were passed that poor economic conditions and inability to meet the needs would be a clear policy that we would seek to carry out.

Do you want to comment on that, Mr. Davis?

Mr. DAVIS. As the Secretary has said, the States are experienced in determining these needs of the schools under section 11 of the present act. And in drafting our administrative regulations to carry out this section, it would be our intent to follow somewhat the same criteria as stated in section 11 of the present School Lunch Act. In other words, to determine that this school was really in need by the relative economic level of the district in which it is, by the indication of the need for free meals, by the amount that experience has shown that the children could afford to pay, by many of these same criteria. And I think, again as the Secretary has pointed out, that the legislation itself would very definitely limit us to a school that had not, or could not, provide adequate facilities to serve a lunch, and I am sure that we would certainly take into account the fact that no program existed, not just because of a lack of interest in the local community, but because they did not have the funds or tax base to have the program.

The CHAIRMAN. Under other laws the Department of Health, Education, and Welfare can come in and provide food, and I presume facilities for the children in certain areas that you have just described. Have you run across any situations where the Department of Health, Education, and Welfare, under existing law, has taken over and attempted to feed people in communities such as the ones you have just described?

Mr. DAVIS. Yes; sir, there have been numerous instances across the country, particularly in this first year under the new Education Act, when the local school districts have not had enough time to develop some academic programs, they have used this money to augment the school lunch programs locally.



The CHAIRMAN. You mean the programs that you started?

Mr. DAVIS. Yes, sir.

The CHAIRMAN. Why was it necessary for them to come in and augment it?

Mr. DAVIS. Under our current school lunch fund, the States have not found it possible to supply all of the free meals that should have been supplied, and in some instances have not been able to provide the equipment and facilities adequate to serve a lunch. I think what the Secretary has said, and what you have said, indicates that in the long run it would be sounder to finance this sort of operation under the National School Lunch Act, rather than being augmented through another program.

The CHAIRMAN. That is what I fear.

Mr. DAVIS. I am certain that it is.

The CHAIRMAN. That is what I fear, and that is why I would like to see the whole program administered under one head and not have competition among some of the Departments of the Government. In other words, here you have been providing food, and, as I understand it, some areas have been supplemented by the Department of Health, Education, and Welfare.

Mr. DAVIS. Yes, sir.

Senator YOUNG. Mr. Chairman, I think that this raises a very important question. If under the Federal Aid to Education Act a school can buy facilities, why should we, under the school lunch program, provide the same thing. The school district may be hard up for several reasons. They may have overbuilt. They have spent money for buildings rather than for school lunch programs. Another school district may have adequate money because they have not put up the buildings that they should have.

I think a program such as providing facilities would better come under the Federal Aid to Education Act.

The CHAIRMAN. Would you mind commenting on what Senator Young has said?

Secretary FREEMAN. I quite agree that the program ought to be in one place, as when it is administered in one place it is not, in a sense, the kind of competition as has been mentioned, why, you would then develop and apply standards and take into consideration local differences in a way that is not possible when it is spread all over among a lot of governmental agencies.

Senator MONTROYA. As I understand section 15(c), together with criteria discussed a few minutes ago, a school district must (1) lack the financial capability to provide the facilities and (2) the school children of a particular school must be from homes or areas within the school district in which poor economic conditions exist.

In many municipal areas a school district may be rich in total bonding potential and in school revenues, but at the same time have some poor school buildings and facilities, within the school district, for the use of children from economically depressed families. The criteria as previously stated would not cover such economically deprived children because both conditions cannot be met.

Where is a line of demarcation in the administration of the particular criteria which has been covered in the discussion this morning?

Secretary FREEMAN. No. 1, section 15 applies to the provision of assistance to provide facilities for school programs, equipment, et

cetera, as a part of an overall plan in the areas which cannot afford to do so.

The question of children——

Senator MONTOKA. What do you mean by "the areas which cannot afford to do so"? An area can be a part within a rich school district or an area can be a school district itself.

Secretary FREEMAN. Well, I think that this could very well be, but if a school district does not have the facilities for a school lunch program, and if it does have a tax base which would support such, and if the adjoining schools or districts have such facilities, why, in that instance, we would give it a very low priority to that situation, because of the failure to act responsibility by that school district.

Senator MONTOKA. Mr. Secretary, every school district in this Nation has established priorities for its revenues. Most of the priorities are for additional school buildings or an increase in teacher salaries. You will encounter this in almost every school district throughout the Nation. How are you going to determine that they should be granted funds for school lunch facilities?

Secretary FREEMAN. I think that I would say that if you have the situation that you have hypothecated where a school district was building a new school or was increasing the teachers' salaries and had made no provision for school lunch programs, why, they would have a very low priority in terms of any additional funds.

Senator MONTOKA. In other words, you will try to exercise good judgment in determining whether or not these funds for facilities are justified?

Secretary FREEMAN. As a practical matter, the amount of funds that will be made available under this are so modest, in terms of the demand, that I do not think that there will be much of a practical problem. There are all kinds of areas where we know, in some cities and in many of the isolated rural areas, that there simply are not school lunch programs available, and where there is available not the tax base, and nothing will happen unless there is some assistance, and these are going to be the first priority.

In other areas, by the time we get to others, we will be out of money; and we will find that these problems are less than you think they are.

Senator MONTOKA. Another thing that you desire through this legislation is to provide the service equipment and to seek authorizations to so provide such service equipment in the district where it is needed. In view of the fact that you are expanding the program, so that most children who cannot pay will be included as free entrants into the program, that is increasing the administrative load; is that correct?

Secretary FREEMAN. Yes. There are two phases to this. We are trying to reach children who will not get a school lunch otherwise, and to do that (a) you have to have facilities to have a lunch.

Senator MONTOKA. And you have got to have the administration.

Secretary FREEMAN. And then (b), you have got to have some food and (c), in order to get (a) and (b), you have to have some administration. That is right.

Senator MONTOKA. Is that the main reason for asking for the authorization for this additional service equipment?

Secretary FREEMAN. Yes.

Senator MONTOKA. And the additional administration costs?

Secretary FREEMAN. Yes.

Senator MONTOKA. Thank you.

The CHAIRMAN. Mr. Davis has stated, just now, Mr. Secretary, that in some areas under existing law, the Department of Health, Education, and Welfare came in and supplemented what you were doing. How did that happen? Did they take the matter up with you in advance and find out why you were not furnishing the food, or just exactly how did it barge in—in other words?

Secretary FREEMAN. They just proceeded to carry forward the program and to utilize the funds available, and we not having the funds or authority to act in these instances and the needs not being met, why, they just proceeded to work with the local school people to handle the needs.

The CHAIRMAN. You have under the present law the authority to provide nonfood help in areas where it is needed?

Secretary FREEMAN. We did not have adequate resources to meet the needs, and that is the reason we are here, Mr. Chairman, in trying to get those resources so that the needs can be met.

The CHAIRMAN. It may be that the Congress did not provide the funds for you, but you do have the authority, as I remember, under the School Act, to do that very thing.

Secretary FREEMAN. Yes; under section 11. That is correct.

The CHAIRMAN. But you did not do it?

Secretary FREEMAN. No, sir; we did it to the extent of the funds that we had to do it, as I have tried to point out, but we did not have adequate resources to meet the need, so while the need was unmet they moved in.

The CHAIRMAN. Did they consult you before coming in?

Secretary FREEMAN. I have had no consultations. In some instances, let's say, why, there were consultations; in other, why, they just went ahead on their own.

Is that not about right?

Mr. DAVIS. Yes, sir.

The CHAIRMAN. To what extent did they take over the school lunch program?

Secretary FREEMAN. They did not take over the school lunch program at all.

The CHAIRMAN. They are doing the same thing you are doing in a measure or that you contemplate doing under this bill.

Secretary FREEMAN. That is correct.

The CHAIRMAN. And it seems to me that a little conflict there may develop.

Secretary FREEMAN. Well, a conflict could develop, but I think it is our best judgment that as the educational programs provide teaching equipment, providing for teachers and other things, which is the primary direction of the Education Act—as it gets moving, the resources will be needed for that, and there will no longer be the funds available from the sources to meet the needs to the extent that they have helped meet them.

The CHAIRMAN. I do not agree with you there. These programs are going to continue. They will get money to continue them.

Senator YOUNG. One of the most difficult problems I have is to find out for the people back home just what agencies of the Government will provide assistance of one type or another, such as where they can go if they want facilities for a school lunch or other program.



They can now go to at least two places—maybe they can go to other places, too. We find this in every agency of the Government. There are programs for almost anything people want and they can find a part of it in several agencies of the Government. That is why I think it would be a whole lot better if you could confine activities such as providing facilities for this whole lunch program in one agency of the Government and not have it scattered around in two or three or four or more places.

The CHAIRMAN. I wonder, Mr. Secretary, if we could not provide in this bill—since the Department has been in this field for so long—that any funds that are provided by the Congress through other laws, and administered through other laws, be administered through the Department of Agriculture? What would be wrong with that?

Secretary FREEMAN. I have no objection to that.

The CHAIRMAN. That they be administered through the Department of Agriculture.

Secretary FREEMAN. I have no objection to that.

The CHAIRMAN. I think that where there is duplication it, will mean that a lot of the funds are being wasted in administration, and I believe that it might well be for us to give thought to that, so that any programs under existing laws that contemplate anything approaching the school lunch program be under the same umbrella. I wish that you would expand on that, if you will, and give us an indication how you would like to proceed. Give us some language that we might put into this bill. This lunch program has been on the statute books at least 20 years, and has worked well, and my fear is that if other agencies of the Government barge in, you are going to have confusion and duplication and quite an expensive program that may not be as effective as what we have here now.

Senator MONTROYA. Would it be in order to ask the staff to prepare a résumé of the Department of Health, Education, and Welfare provisions which deal with this particular subject, and that that study be included in this part of the record?

The CHAIRMAN. I would suggest that we get it from the Secretary. I guess he is familiar with it. I guess, Mr. Davis, you are familiar with all of it. You come in head-on contact with them in some of these programs.

Mr. DAVIS. We could supply the language in the current legislation for education and OEO, under which this money has been made available.

The CHAIRMAN. I wonder if you could follow the suggestion by Senator Montoya as to all of the programs that may deal with the school luncheons being connected with the schools providing food, of providing nonfood assistance, that such legislation references be given at this point in the record?

Senator MONTROYA. Including the categorization of the funding.

The CHAIRMAN. And how much money is being spent in each category.

Senator YOUNG. I think that other programs are in it, too.

For example, in my hometown, just a little town, the school district was given a grant of \$26,000. They hired some teachers but they used part of this money to buy equipment. They could have bought the equipment for the school lunch program, I assume, under that program.

Secretary FREEMAN. It is difficult to get solid figures on this, because the Office of Education tells us that the project plans from the individual school districts do not show the amounts spent for individual project items, but from the preliminary data that we have been able to get we would make an estimate of as much as \$16 million in education funds being spent this year to assist the schools in feeding needy children.

Senator TALMADGE. That is for equipment only?

Secretary FREEMAN. For equipment, but also to help buy food to feed them.

The CHAIRMAN. I wonder if we could get that in the record, a breakdown of that, and who is furnishing what, outside of the Department of Agriculture, in the school lunch program?

(The information is on p. 8.)

Senator TALMADGE. Do you know how much OEO has provided in that area?

Secretary FREEMAN. The best information we have, with the exception of "Headstart" programs for the preschool children, is there have been very few OEO projects involved in the school feeding programs—mostly done under the Education Act.

The CHAIRMAN. That is out of school, is it not?

Secretary FREEMAN. The "Headstart", it is preschool.

Senator TALMADGE. They have, in fact, three different agencies involved in this field.

Secretary FREEMAN. Yes, sir.

I might say, to follow the chairman's last remark, we will be happy to prepare and submit language that would specify that school feeding programs should be coordinated with the basic school lunch program.

The CHAIRMAN. In the schools?

Secretary FREEMAN. In the schools that have been carried on, as you have pointed out, successfully for many years.

The CHAIRMAN. Very well.

Senator HOLLAND. What is the essential difference between the school milk program that you have incorporated into this new bill, S. 3467, and that which is now pending?

Secretary FREEMAN. There is no difference, Senator Holland, from the current law which is presently on the books and which runs out this year, with the exception that this bill would provide for a limit of time, and it would provide for a maximum of \$100 million a year. The bill which has been introduced, as I recall, provided for not less than \$110 million, and as it was reported out of the subcommittee I think that was changed to not more than \$110 million. But S. 3467 provides not more than \$100 million, and the recommendation made in my testimony was to leave that to the Appropriations Committee which is what the current law does without specifying it in the authorization as such.

Senator HOLLAND. Is there any section in this proposed new part of your bill that refers to special milk programs that confines the appropriation to the general revenue funds, as is now found in the present bill?

Secretary FREEMAN. No, sir.

Senator HOLLAND. What was the reason for leaving that out?

Secretary FREEMAN. We thought that, again, is something that is properly a question for the Appropriations Committee to determine

rather than to place it in the general legislation. As to whether it should be funded out of section 32 funds or funded out of general revenue funds is a matter upon which there has been some differences of opinion from time to time, and we just thought that perhaps it would be more proper if it were determined in the Appropriations Committee.

Senator HOLLAND. So far as this committee is concerned, there has not been any great difference of opinion that the bill, as it now exists on the statute books, makes it clear that it is a social welfare program and that it would be financed out of the general revenue funds, rather than section 32 funds.

Is there any objection to having that same provision in this bill?

Secretary FREEMAN. Senator Holland, I do not think that is the legislative history of this, if I may say so. I think that the bill originated not as a welfare bill at all but as a disposal program for excess milk, and as such—

Senator HOLLAND. Do you know whether there is any such wording in that bill at this time?

Secretary FREEMAN. I beg your pardon? Do you mean the initial basic legislation?

Senator HOLLAND. Yes.

Secretary FREEMAN. I know of no such wording, one way or another, in the basic law. But the legislative history of it is quite clear, that it was a surplus disposal provision, and as such it would seem that its financing would have to be limited to a particular source.

Senator HOLLAND. What is the provision of the present bill on this subject?

The CHAIRMAN. As I recall it, Mr. Secretary—

Senator HOLLAND. The present legislation includes these words:

Amounts expended hereunder and under the authority contained in the last sentence of Section 201(c) of the Agriculture Act of 1949, as amended, shall not be considered as amounts expended for the purpose of carrying out the price-support program.

You have no such words as that in the present legislation which you are suggesting, do you?

Secretary FREEMAN. No, sir.

Senator HOLLAND. Do you have any objection to having such wording included?

Secretary FREEMAN. Yes, sir.

Senator HOLLAND. You want it to be where you can use section 32 funds for this milk program; is that it?

Secretary FREEMAN. Yes, sir.

Senator HOLLAND. If that is the purpose, I am completely against it, because I think that we should have section 32 funds available for the purposes intended, which are for various needs envisioned in years in which there would be a surplus in beef, that they would be up to \$100 million for use of section 32 funds, and if there were a surplus in pork, calling for the use of a similar amount, or a surplus in poultry calling for the use of a similar amount, or a surplus in vegetables calling for various subsidies which might be that amount and more, and you get away from the primary purpose of the section 32 funds that are usually for something that is a price-supported commodity. You realize, of course, that section 32 funds are supposed to be dedicated for non-price-supported commodities.



Secretary FREEMAN. Yes, sir. And I heartily support that objective. Senator Holland, I would be the first to object if I thought those funds and their availability were threatened. However, each year, even in the year in which we spent \$200 million for beef, we still turned back a substantial amount of section 32 funds. I honestly cannot envisage a situation where we would not turn back those funds. And the amounts that have been recommended by the administration in this connection for the school milk program has been recommended with the fact in mind that there should always be adequate funds under section 32, and there always have been adequate funds under section 32. And, therefore, while I completely agree with your objective, sir, in this instance I feel this is a restriction on our fiscal freedom, which I do not think is justified by the facts.

Mr. CHAIRMAN. Mr. Secretary, if the Senator from Florida will permit, I do not see anything in the authorization of the pending measure that even refers to section 32 funds.

Secretary FREEMAN. No, sir.

The CHAIRMAN. Section 13 states:

There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1967, and each fiscal year thereafter during the period ending June 30, 1970, such sums as may be necessary, but not in excess of \$100 million for any fiscal year, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children.

I do not see any reference there to section 32 funds. I do not see where your authority is for saying by leaving it to Congress that they can dip into section 32 funds. We cannot do it, as I understand, except by special authority.

Senator HOLLAND. We have had this language in the earlier bill that has been construed as requiring the appropriation to come out of the general revenue funds, and that is what I would like to see continued in the school milk program.

The CHAIRMAN. That is in this bill now. I do not see where the Secretary got what he stated—I mean, where in this bill the language justifies it.

Senator HOLLAND. He has just stated, as I understand it, that he expects to dip into section 32 funds.

The CHAIRMAN. It cannot be.

Senator HOLLAND. As a sponsor of the bill, you are stating now that could not be the case?

The CHAIRMAN. No—exactly, it could not be.

Senator HOLLAND. Mr. Secretary, I am going to ask you this question.

Secretary FREEMAN. I seem to be getting boxed in.

Senator HOLLAND. I will ask you to state what your impression is on that, and where you get that impression?

Secretary FREEMAN. I am a little bit at a loss now.

I gather that the question before us is whether there is some language which is the basic law to which you have just referred that is going to be changed by the proposal S. 3467 currently before this committee.

I would conclude that it is not going to be changed. There is nothing in this bill that would change, and, therefore, the language would still stand as in the basic law. I think that is the chairman's point.

The CHAIRMAN. All of this would come from the Treasury and not from any earmarked funds. As you know, some are earmarked to be used for certain purposes designated by the Congress, and here it is specifically stated that the authorization will come from the general funds.

Secretary FREEMAN. This is in the basic law as Senator Holland has made clear has not been so interpreted, and the current budget proposals would finance part of the school milk program from section 32 funds and that usually is before the Appropriations Committee. I do not think that it is before this committee, Senator Holland, because I think that language stands, and I do not think that S. 3467 will change it.

The CHAIRMAN. Now, Mr. Secretary—Are you through, Senator Holland?

I think that when you were here the other day, you discussed the pilot program?

Secretary FREEMAN. Yes, sir.

The CHAIRMAN. And that (1) \$1 million would be appropriated as additional to the Department for administrative expenses, and (2) \$6 million per year for the pilot breakfast program for the schools within poor economic areas and those who must travel long distances, which would be for fiscal years 1967, 1968, 1969, and (3) \$12 million for a permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions existed, and (4) \$3.7 million for general administration, including provisions for use of up to 1½ percent of the funds appropriated for the various programs for administrative expenses of State and agencies.

You recollect this?

Secretary FREEMAN. Yes.

The CHAIRMAN. I did not hear you mention it in your statement.

Secretary FREEMAN. It will be. I have not quite finished my testimony.

The CHAIRMAN. All right. I am sorry. Proceed, please.

Secretary FREEMAN. Going now to page 9.

5. Extension of the school-feeding program to preschool activities which are operated as part of the school system

New authority to provide low-priced lunches will not be required, for section 11 of the present act is adequate for this purpose. However, if we are to reach the 1.5 million youngsters who can benefit from this program, new appropriations will be needed.

Senator HOLLAND. Would that be new appropriations from general revenues or from section 32 funds?

Secretary FREEMAN. In this case, in this paragraph, I did not have in mind any reference to either. Under this provision, we would be seeking appropriations regardless of whether they came from the general revenues or section 32 funds.

Senator HOLLAND. And this is a welfare section, of course.

Secretary FREEMAN. Yes, sir.

Senator HOLLAND. And how would you figure it comes under section 32 when it is for welfare purposes, not an agricultural purpose?



Secretary FREEMAN. I would say, Senator Holland, that if we have adequate funds in section 32 to meet all possible contingencies that then we may very well wish to use additional funds available for this purpose and not restrict ourselves to just the general revenue funds at all times.

Senator HOLLAND. Well, again, I will just say that we are dealing with a welfare purpose, a social service purpose, and I understand that section 11 does just do that. My understanding is that that would have to come out of the general revenues. It is not dealing with surplus disposal programs or price-support programs at all. It has nothing to do with that. Please proceed.

Secretary FREEMAN. Thank you.

President Johnson, who shares our deep concern for the nutritional needs of America's youth, has authorized me to say that he intends to request a special \$50 million child nutrition supplemental appropriation which will include a substantial portion to finance a low-priced lunch program in schools serving needy areas.

The supplemental request also would cover appropriations for the breakfast program, the lunch equipment program, and the lunches for child activity programs.

Might I add at this point, that being the case it would appear that the question of section 32 is largely academic and given the provision of the basic law which now stands, it would appear to me that that issue was not necessarily before us in connection with this special school lunch program.

Senator HOLLAND. In other words, it is your understanding that this supplemental \$50 million appropriation will come out of the general revenues?

Secretary FREEMAN. Yes, sir.

Senator HOLLAND. And not out of the section 32 funds?

Secretary FREEMAN. Yes, sir.

The CHAIRMAN. You gave us a figure of \$22.7 million before. Now, it is \$50 million.

Secretary FREEMAN. I think the figure that I gave you—I want to be sure that I get the record straight on that—was that there would be for the special assistance \$19.3 million, and then for the breakfast program \$6 million. We have now deleted the other group feeding. I stand corrected—that is \$8 million. For reasons we discussed earlier, \$12 million for equipment; \$1 million for administrative expenses. It will be \$42 million as initially submitted, because the \$8 million for other group feeding is not now before us. So, may I please correct the record and say \$42 million? I have not changed the figures here.

The CHAIRMAN. You specifically stated before that the figures were as I have indicated to you. You are now saying that you left something out?

Secretary FREEMAN. No, sir. I think that the confusion is because the \$19 million figure would be a supplemental appropriation running to section 11, for which there is no legislation now before this committee, because it is not now necessary. It might very well be that the other items were stated before, because section 11 is not in this bill, and, therefore, that was not put into that question. But the total package would include the additional funds to the extent of \$19.3 million for actually feeding the needy children under section 11.



The CHAIRMAN. You say that the supplemental request also would cover appropriations for the breakfast program, the lunch equipment program, and the lunches for child activity programs?

Secretary FREEMAN. Yes, sir.

The CHAIRMAN. What is that?

Secretary FREEMAN. The lunches would be made available under section 11. The resources to reach the 1.5 million children that currently we are not reaching with free or reduced-cost lunches.

The CHAIRMAN. But in school?

Secretary FREEMAN. But in school; yes, sir.

The CHAIRMAN. What do you mean by "child activity programs"?

Secretary FREEMAN. I do not use that wording. We had other group-feeding programs, and that now is not before the committee.

Senator HOLLAND. You do use that.

The CHAIRMAN. You do it here on page 10.

Senator HOLLAND. On page 10 of your statement.

The CHAIRMAN. You use it on page 10 of your statement.

Secretary FREEMAN. May I delete that, because by this "child activity program" is what I had on this other called group-feeding program.

Senator TALMADGE. Is that not the day-camp proposition?

Secretary FREEMAN. That is the day-camp proposition.

The CHAIRMAN. That is why we struck this out.

Secretary FREEMAN. I struck it out in a number of other places.

The CHAIRMAN. In other words, as I understand what we are talking about here is to provide funds to be spent strictly in school.

Secretary FREEMAN. That is correct.

The CHAIRMAN. And not outside activities.

Secretary FREEMAN. That is correct.

The CHAIRMAN. We will see to it that is tightened up some.

Secretary FREEMAN. May I show it on the record? Again, I apologize for the fact that in going through this testimony, I tried to get it out at the last moment, because it did not come to my attention until this morning.

The CHAIRMAN. I am not blaming you, because this is your original statement that you contemplated making when all of these other activities were to be incorporated in the law.

Secretary FREEMAN. I thought that it was being deleted, and I have discovered that it was not. Returning to my statement—

With this new authority and the funds adequate to finance them, this country can take a giant step toward closing the child-nutrition gap before it grows even more serious.

I believe the school lunch program has demonstrated our willingness to invest in the future of our Nation by insuring that food will be no barrier to the learning process.

Our success in this effort is convincing evidence that we should go the rest of the way—that we should insure that the lack of income will be no barrier to the less fortunate children for whom education is the one chance they have to escape the poverty of their childhood.

The CHAIRMAN. What you might do is to go back over your statement again and make such corrections as you desire, to indicate that the school lunch program that we are now considering would be for in-school programs and not out-school programs.

Secretary FREEMAN. Yes, sir, we will do that.

The CHAIRMAN. I wonder if we could have you provide for the record the approximate amount that is used in your regular school lunch program to purchase milk and dairy products?

Secretary FREEMAN. Yes, sir.

(The information is as follows:)

*Estimated cost of fluid milk and dairy products consumed in schools*<sup>1</sup>

	<i>Million</i>
I. Cost of fluid milk consumed in national school lunch program.....	\$180. 8
II. Cost of dairy products distributed to schools.....	73. 4
Total.....	254. 2

<sup>1</sup> Cost of fluid milk purchased by schools is based on average cost of 6 cents per  $\frac{1}{2}$  pint. Cost of dairy products is based on total cost to the Federal Government.

The CHAIRMAN. And as I understand it, the additional program that we are adding is just a renewing of the present special milk program?

Secretary FREEMAN. Yes, sir.

The CHAIRMAN. With little or no difference?

Secretary FREEMAN. No difference.

The CHAIRMAN. From what the law now is.

Secretary FREEMAN. No difference. As I said earlier S. 3467 has some differences by having a terminal date and by a limit on appropriations. Otherwise, it is the same as the basic law.

The CHAIRMAN. All right.

The CHAIRMAN. Are there any further questions?

Senator TALMADGE. I have just one or two questions.

Mr. Secretary, what are we spending now on the school milk program?

Secretary FREEMAN. \$100 million will be spent in this fiscal year.

Senator TALMADGE. And this bill envisions spending the same amount?

Secretary FREEMAN. Yes, sir.

Senator TALMADGE. So that there is no change?

Secretary FREEMAN. No change in that.

Senator TALMADGE. What are we now spending on the school lunch program?

Secretary FREEMAN. We are spending a total of about \$325 million.

Senator TALMADGE. \$325 million. And what does this bill provide?

Secretary FREEMAN. It does not provide any amount in that connection.

Senator TALMADGE. No ceiling in the bill?

Secretary FREEMAN. No ceiling in the overall school lunch program.

Senator TALMADGE. In other words, the authorization would be open-ended, to be determined by the Appropriations Committees?

Secretary FREEMAN. Yes, sir.

Senator TALMADGE. What change is made in the existing law by this bill, S. 3467? As I understand it, you want to start a pilot program for breakfast feeding, in addition to lunches?

Secretary FREEMAN. That is correct.

Senator TALMADGE. What in the way of cost do you envision for that program?

Secretary FREEMAN. \$6 million.

Senator TALMADGE. \$6 million a year, and that is a new sum that is not now being provided?

Secretary FREEMAN. That is correct.

Senator TALMADGE. You also want in the new bill to provide some funds for equipment. Is that not correct?

Secretary FREEMAN. Correct.

Senator TALMADGE. That is not now provided under the existing law?

Secretary FREEMAN. No, sir.

The CHAIRMAN. There is authority for it.

Senator TALMADGE. Authority for it, but no expenditures; is that correct?

The CHAIRMAN. No appropriations.

Senator TALMADGE. No appropriations.

What do you intend spending on equipment?

Secretary FREEMAN. \$12 million.

Senator TALMADGE. \$12 million. What other changes are there in the new bill over and above existing law?

Secretary FREEMAN. A provision for authorization for some funds for State administration purposes, matching funds for State administrative purposes, and a provision for authorizing some additional funds for our own administration of this expanded program.

Senator TALMADGE. How much is involved there?

Secretary FREEMAN. \$3.7 million for State administration assistance, and \$1 million to provide administrative resources to the Department itself.

Senator TALMADGE. That covers all of the new authority in the new bill?

Secretary FREEMAN. Yes, sir.

Senator TALMADGE. Thank you.

Senator MONTAYA. With respect to the administrative expenses on a matching basis with the States, is it your intention that the State will put up an equal amount? Or what is the ratio of matching?

Secretary FREEMAN. The bill does not specify the ratio of matching. And, very frankly, we have not made a final decision on that. What is the current thinking on that, Mr. Davis?

Mr. DAVIS. This money would be in addition to what the States are already spending.

Secretary FREEMAN. The question was: The matching provision will be how much, 25-75, 50-50?

Mr. DAVIS. Since the States are putting in considerable administrative moneys, we had not contemplated a specific matching requirement, rather that this money be used in addition to what they are already spending for the total administration of the school lunch and special milk programs.

The CHAIRMAN. Is that because of the expanded program?

Mr. DAVIS. Yes.

The CHAIRMAN. That is, primarily to areas in school districts that are too poor to provide facilities, to provide school lunch programs, in addition to the facilities in the schools, and you are going to furnish administrative costs?

Mr. DAVIS. This provision for administrative costs is for State administration only. This would not run down to the local school district.

The CHAIRMAN. I do not quite get that.



Secretary FREEMAN. It would provide this amount of money to a maximum of \$7,500 to supplement the administrative money that the State currently has appropriated itself.

The CHAIRMAN. Why is that necessary?

That is what I tried to get from you a while ago. I thought that this sum was necessary, because of the new programs.

Secretary FREEMAN. Yes, sir. The whole idea is that the States who do have considerable administrative burdens to carry now would respond more quickly and carry this program forward more promptly if some additional funds were made available for administrative purposes.

The CHAIRMAN. Do I understand that under no condition will these funds be used in areas where the State is already providing for facilities and for food and cooperating 100 percent?

Secretary FREEMAN. That is correct. This would be in addition, and not in replacement of.

Senator MONTOYA. You mentioned \$7,500. Is that the sum to which the States will be entitled under this provision?

Secretary FREEMAN. That is the maximum; yes.

Senator MONTOYA. So that \$7,500 is for the 50 States?

Secretary FREEMAN. \$7,500 per State maximum amount.

Senator MONTOYA. Yes; \$7,500 for the 50 States. Is that the minimum or the maximum?

Secretary FREEMAN. I stand corrected. I misread this myself. There is a formula here in the bill, as you will recall, and that formula would apply to the maximum appropriation here of \$3.7 million, and the \$7,500 figure would be the minimum figure. Because of the States, otherwise, would have fallen down below that figure.

Senator MONTOYA. Are the additional administrative funds required by virtue of the breakfast and free lunch programs?

Secretary FREEMAN. It would be required because of the expensive actions that would be required of the State to establish programs to develop the necessary leadership, to provide the equipment facilities, to establish new programs in these areas, to set up pilot breakfast programs. It will represent a very significant increase in their administrative responsibilities.

Senator MONTOYA. What do you encompass or contemplate in the breakfast program? Is it just milk?

Secretary FREEMAN. No.

Senator MONTOYA. Is it a full breakfast?

Secretary FREEMAN. It is a full breakfast program for the child.

Senator MONTOYA. Then, would I assume that where the breakfast program is in operation, the school district would have to provide additional facilities?

Secretary FREEMAN. They would have to cover the program.

Senator MONTOYA. Is there any provision in the bill for helping those school districts to meet the additional administrative expense?

Secretary FREEMAN. In this instance, the amount to be made available out of the \$6 million would indirectly provide that kind of assistance through help in buying the food proper.

Senator MONTOYA. The administrative expenses at the local level?

Secretary FREEMAN. In that sense, it is, yes.

Senator MONTOYA. Thank you.

The CHAIRMAN. Are there any further questions?

If not, we thank you very much, Mr. Secretary.

Secretary FREEMAN. Thank you, Mr. Chairman.

The CHAIRMAN. We will next hear from Mr. Patrick Healy, assistant secretary of the National Milk Producers Federation.

### STATEMENT OF PATRICK B. HEALY, ASSISTANT SECRETARY, NATIONAL MILK PRODUCERS FEDERATION

Mr. HEALY. Mr. Chairman and members of the committee, I would like to file my statement for the record and to make some very brief comments.

The CHAIRMAN. Very well, your whole statement will be put into the record at this point.

(The prepared statement of Mr. Healy follows:)

Mr. Chairman, members of the Committee, I am Patrick B. Healy, assistant secretary of the National Milk Producers Federation, with offices at 30 F Street, N.W., Washington, D.C.

The Federation represents cooperatives whose membership is made up of dairy farmers over the Nation. The Federation, therefore, speaks for milk producers.

We appreciate this opportunity to express the views of the Nation's dairy farmers with reference to S. 3467, a bill to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

In its essence this bill would amend the National School Lunch Act by adding provisions which would:

- (1) bring the Special Milk Program for Children under the School Lunch Act and provide authorization for its operation through 1970;
- (2) provide for a pilot breakfast program for needy children; and
- (3) provide for certain non-food assistance to schools in areas in which poor economic conditions exist.

The National Milk Producers Federation appeared before the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of this Senate Committee on Agriculture and Forestry on May 12, 1966, in full support of S. 2921, a bill to provide a Special Milk Program for Children. At that time we stated that:

"The objective of this program, as set forth by Congress, now is being realized. The stated purpose was to encourage children in schools and other nonprofit institutions to consume more milk to improve their diets, as well as helping dairy farmers by providing a market for fluid milk.

"Continuation of the program also means that the acquisition of dairy products by the Commodity Credit Corporation is directly decreased, so that the costs for purchasing and storing dairy products under the price support program are reduced.

"This program has expanded each year since 1954 when the first school in the Nation to come under the program—a school in Lodi, Wisconsin—served milk to its 530 pupils. Since that time the number of schools and child-care centers participating has grown rapidly. In 1955, the program reimbursed 41,094 institutions for 449.8 million half-pints of milk. Participation increased to 92,005 outlets in 1965 and the use of nearly 3 billion half-pints of milk.

"Certainly, this program which grew so quickly has received overall public acceptance. It will continue to grow if the Congress will provide the needed funds and make the program permanent.

"When a program works as well as this, it should be continued. We do not need a new program. Years of successful operation have already proven the worth of this one.

"Over the years the Special Milk Program for Children has grown at the rate of approximately 5 percent per year. This is due to increased school enrollment and added participation. If the present growth rate continues, more funds will be required each year. This bill provides authorization to meet such future needs.

"Sufficient funds are not available under the present program to reimburse the schools now taking part. The rate of payment to schools was cut to 95 percent in 1965, and was cut again to 90 percent in February of this year as a result of the impounding by the Bureau of the Budget of \$3 million which Congress had appropriated. These cuts have resulted in either a higher cost of milk to children,



or to fewer children drinking milk, or both. The health and welfare of the children taking part in the program are too important to be sacrificed.

"By making this law permanent as provided in S. 2921, schools can plan their programs for this year and for succeeding years. Now is the time to make this program permanent, as this modest investment in the health of our children should not be provided by a temporary program nor should it be limited for lack of funds.

"While this program is primarily a nutritional program, it also has helped raise the income of the dairy farmer by encouraging the consumption of fluid milk thereby bringing about a balance between supply and demand. The income of dairy farmers is too low, and as a result many are selling their herds and diverting their farm resources to other alternatives, or taking jobs in industry.

"By improving the market for milk through enactment of S. 2921, we are making an investment in a strong dairy industry, which will be needed if this country is to supply the increasing needs of the American consumer in coming years.

"Milk production has been dropping at an alarming rate, in April it was 3.8 percent below April of a year ago; in March down 4.6 percent; in February down 5.8 percent; and in January down 5.3 percent. The decline in the number of dairy cows points to an industry decision to leave dairying. As of January 1 of this year, there were 6 percent fewer dairy cows on U.S. farms, the smallest total since 1900, and of equal importance, 6.8 percent fewer heifers, the replacement stock. Any bill which will help reverse this trend is of benefit to the entire Nation.

"During fiscal 1965, children drank nearly 3 billion half-pints of milk under the program. This amounts to 1.6 billion pounds of milk, about 3 percent of the total nonfarm consumption in this country. This milk represents the balancing factor which provided for badly needed increased farm income during the fall and winter months of 1965-66. It would be necessary for Commodity Credit Corporation to purchase this milk in the form of manufactured dairy products, if the program were impaired, with the government paying for the dairy products, as well as the storage bill. Surely, the Children's Special Milk Act provides a wiser course to follow.

"Another important provision of S. 2921 is that the bill authorizes the Secretary of Agriculture to re-allocate funds when it appears that a participating state would not be able to fully use the funds allocated to it, thereby providing for maximum utilization of available funds and encouraging optimum participation by children.

"Many children of destitute families receive milk they otherwise could not afford because of this program. More will benefit in the future if this bill is passed. Prices for dairy products will be stabilized because of a continued market for the milk used by the children. The farmer, who has been forced to accept low prices in the past, will be sure of this market for fluid milk.

"To continue this program, which already has received such wide acceptance, and to provide for adequate financing, we support S. 2921. In authorizing the funds for the fiscal year ending June 30, 1967, and thereafter, this bill will insure that all nonprofit school and nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children can continue to provide for them the nutritional benefits available under the program."

The National Milk Producers Federation sincerely appreciates the interest of this Committee and its chairman in this further study of the Special Milk Program for Children, and it appreciates the efforts of this Committee which are evidenced by this study to provide the best possible legislative authority for this program. It is our judgment, however, that the program can best be administered and provide the most good for the greatest number of children if it remains separate from the National School Lunch Act. While there are a great number of institutions which provide both food under the School Lunch Act and milk under the Special Milk Program for Children, there are many which have adopted only one or the other of these programs. If the Special Milk Program is made a part of the School Lunch Act, in all probability there will be an effort on the part of the administrators of this program to require schools and other institutions to use both programs if they want either; and then of course, there will be in all probability an effort made to combine the programs. In our judgment this eventuality would serve to limit the consumption of milk and other foods which in turn would reduce the level of child nutrition in this country. We, therefore, continue in support of the legislation now pending before this Committee which would provide continuing authority for the Special Milk Program for Children as a separate program under separate Congressional authority and funded separately.



In essence, what we are recommending is a continuation of a program which has enjoyed tremendous success as it is now instituted. We, of course, believe that there must be a continuing increase in authority for funds sufficient to meet the growing demands, such as was provided for in S. 2921.

The National Milk Producers Federation has great concern for the poverty stricken people in the United States and it, without reservation, will support sound and effective measures which will provide needed assistance for this group of our people. In this regard it may be that the judgment of this Committee will result in provisions for exploration of pilot feeding programs in destitute areas and provisions for grants in aid which will allow schools located in economically depressed areas to take advantage of the School Lunch Program and the Special Milk Program for Children as they are now operated without impairing funds appropriated for the purchase of food under either of these programs.

May we again express our appreciation to this Committee for its concern over these programs which provide so vital a part in the development of a national sound nutrition program for children.

Mr. HEALY. I am Patrick B. Healy, Assistant Secretary of the National Milk Producers Federation with offices at 30 F Street NW., Washington, D.C.

The Federation represents cooperatives whose membership is made up of dairy farmers over the Nation. The Federation speaks for milk producers, and, therefore, the views of the Federation represents the only true consensus of dairy farmers' thinking available.

We appreciate this opportunity to express the views of the Nation's dairy farmers with reference to S. 3467, a bill to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

In its essence this bill would amend the National School Lunch Act by adding provisions which would:

(1) bring the special milk program for children under the School Lunch Act and provides authorization for its operation through 1970;

(2) provide for a pilot breakfast program for needy children; and

(3) provide for certain nonfood assistance to schools in areas in which poor economic conditions exist.

On May 12, 1966, the National Milk Producers Federation appeared before the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of this Senate Committee on Agriculture and Forestry. At that time we appeared in full support of S. 2921, which was a bill to make permanent and authorize appropriations for a special milk program for children. At that time, we testified regarding the remarkable growth of the special milk program, and this growth, in our judgment, is attributable to the way the program is established in legislation, to the way in which it has been administered, and to its acceptance by those who participate as well as by those who supply it.

The National Milk Producers Federation appreciates the interest of this committee in its further consideration of the special milk program. It is our judgment, however, that the program can provide the most good for the greatest number of people if it remains a separate program and is properly funded.

The CHAIRMAN. Just a minute, now. Who administers it now?

Mr. HEALY. It is administered by the Department of Agriculture.

The CHAIRMAN. There is no change under this; it would be the same thing.

Mr. HEALY. Under separate legislative authority.

The CHAIRMAN. I say that it would be administered by the same people.

Mr. HEALY. It would be administered by the same people; yes, sir, but we are fearful that the closer we bring the school milk program and school programs of other kinds together, the more certain we are that they eventually will be combined, and, then, there will be less milk and less other foods made available to children, such a thing, of course, would result in detriment to the two programs which have operated in a most highly successful way and have been among the most well-accepted programs that have come out of the Congress.

The rate of growth in both the school lunch program and the school milk program certainly speaks well for the way they have been operated in the past dozen years, during which time both of them have been on the books. And anything, any action, which this Congress or which the administration would take which would disturb the balance that has been created through careful assessment of these programs would be wrong.

The CHAIRMAN. Mr. Healy, you understand very well that the special milk program was for the producer, rather than a program to assist the children?

Mr. HEALY. Yes, sir. In its inception, it was.

The CHAIRMAN. And it was done in order to get rid of enormous surpluses.

Mr. HEALY. Yes, sir.

The CHAIRMAN. And now we want to make it permanent. Of course, I am not quarreling about that, but since the program has been administered by the Department of Agriculture and since it is going to be administered by the same Department, I thought that you would be for that 100 percent, because that is where the milk will go, that is, for the school milk program.

Mr. HEALY. Well, Mr. Chairman, for the past 12 years we have had both programs, and the Congress has been able to look at the appropriations for the school lunch program and to look at the appropriations for the school milk program and decide how it wants the money spent and how the program can best be operated but if we put these programs together, eventually they will be funded together, and we will have a lot more money in one package, and then some of the money that was originally used to promote the consumption of milk in the schools and among the schoolchildren will drift over to some other purpose under the Lunch Act.

The CHAIRMAN. Your authorization would be the same, it would be a special one for milk. I cannot agree with you that it will be a separate appropriation. If you combine it, I would agree with you, but in the bill that is now before you, the bill that Senator Holland considered is almost verbatim to this, except for a few limitations I have suggested, and, of course, that matter will have to be submitted to the committee as a whole, particularly in connection with

the bill by Senator Holland which was considered in the subcommittee, and that is what we hope to do when we come to write the bill.

Mr. HEALY. You see, Mr. Chairman, I believe that both you and Senator Aiken put your finger on this earlier today. I refer to section 18 of the bill which reads:

In the selection of schools and nonprofit institutions to receive Federal assistance under sections 13, 14, and 15 of this Act, the state agency shall adopt the methods and procedures necessary to assure coordination with and give, where the need is comparable, preference to programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions.

I grant this committee has taken note of this language, and I hope, of course, that you will delete such language if this bill is passed.

The CHAIRMAN. To delete it?

Mr. HEALY. Yes, sir. However, I think that every time we put programs together there is an opportunity for this type of thing to develop. When we set the milk program off by itself, you can watch it, we can watch it, the school systems can watch it and keep it for what it was intended to do. This is why we hope that this committee will report S. 2921.

The CHAIRMAN. I have been watching your milk programs quite closely. You know that I contended in the past, on other programs, that price supports have not been affected at all. We have not changed that. You are getting a lot of benefits out of the regular school lunch program by providing milk there, and over and on top of that you have the special \$100 million-plus, and I think that you are very well taken care of.

Mr. HEALY. We realize that. We realize also that these school-children are very well treated, because we cannot think of anything better to give them than milk.

The CHAIRMAN. When this program was first put on the statute books, what you had in mind was to get rid of the surplus that you had, and it was the producers that it helped, and, now, it has worked so well that you want to make it permanent. Whether you have a surplus or not, you want the Government to spend \$100 million; is that true?

Mr. HEALY. Let me explain about this surplus, Mr. Chairman. If we did not have the special milk program at this time and the milk in the school lunch program, the Commodity Credit Corporation would be buying 3 billion pounds of milk a year right today.

The CHAIRMAN. We might change the law then.

Mr. HEALY. We would certainly hope not.

The CHAIRMAN. Of course, you would. You have got a pretty strong organization. You have a lot of power around here. I think that this committee ought to help out the milk producers the best it can, but, personally, I am just opposed to some of these programs that were put in for a certain purpose. Now, you are going to make it permanent, and it is over and above the price support that you are getting.

Mr. HEALY. Yes.



The CHAIRMAN. It is over and above the amount that is spent on the school lunch program. That is why I did not expect any opposition from the milk people to be put in on this in connection with the school lunch program, because, as I understand it, your purpose is to make this work and to give assistance to the schoolchildren of this Nation.

Mr. HEALY. Yes, sir.

The CHAIRMAN. I think, since this is going to be administered by the same people, that you should not object to it.

Mr. HEALY. First, let me say that the milk producers of this Nation are constantly aware of the programs which have been developed in this committee in their behalf, and they feel that they have a sound basic program in this legislation, one which works, perhaps, better than the program of any other commodity group in this country.

The CHAIRMAN. It has been very helpful. Last year or so, it was some \$800 million-odd altogether. And this year it will be around one-half of that much. We have the figures. We will place them in the record at this point.

Mr. HEALY. I am sure that you do have them.

The CHAIRMAN. It was \$829 million in 1964. We will put this table in the record at this point.

(The table is as follows:)

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., February 17, 1966.

Mr. HENRY J. CASSO,  
*Economist, Senate Agricultural Committee,*  
*Washington, D.C.*

DEAR MR. CASSO: In response to your telephone request to Mr. Roy W. Lennartson, there is transmitted herewith a table showing the net realized losses and funds used for activities directly involving dairy products. Actual figures are provided for the years 1964 and 1965 but only estimates can be furnished at this juncture for fiscal 1966.

As you requested the table has been structured similar to that provided for the record covering the hearings before the Senate Subcommittee on Appropriations of the 1966 Budget.

We appreciate the opportunity of responding to your request.

Sincerely yours,

GEORGE L. MEHREN, *Assistant Secretary.*

*Net realized losses and funds used for activities directly involving dairy products,  
fiscal years 1964-65 and 1966 (estimate)*

[Millions of dollars]

	Fiscal years		
	Actual		Estimate
	1964	1965	1966
AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (COMMODITY CREDIT CORPORATION)			
Price-support program, net realized losses:			
Payments to Veterans' Administration and armed services under section 202 of the Agricultural Act of 1949, as amended, for fluid milk used in excess of normal require- ments and donations of other dairy products:			
Butter.....	17.4	13.8	16.5
Cheese.....	1.3	1.3	.8
Milk, fluid.....	26.5	26.2	-----
Total.....	45.2	41.3	17.3
Donations from CCC inventories under sec. 416 of the Agricultural Act of 1949, as amended:			
Domestic:			
Butter.....	108.3	23.9	46.8
Cheese.....	50.4	18.5	2.9
Milk, dried.....	29.3	20.5	10.4
Total.....	188.0	62.9	60.1
Foreign:			
Butter.....	25.0	.2	-----
Butter oil.....	98.8	15.6	1.2
Cheese.....	1.9	-----	-----
Ghee.....	5.6	1.2	-----
Milk, dried.....	100.9	62.8	69.6
Total.....	232.2	79.8	70.8
Other price-support losses:			
Butter.....	49.5	9.6	10.8
Butter oil.....	1.9	.6	.6
Cheese.....	3.8	1.4	.5
Ghee.....	.1	-----	-----
Milk, dried.....	41.9	20.6	20.3
Total.....	97.2	32.2	32.2
Total, price-support program.....	562.6	216.2	180.4
Commodity export program, net realized losses:			
Milk, dried.....	29.7	19.8	4.5
Butter and butter products.....	6.9	24.9	5.7
Total.....	36.6	44.7	10.2
Public Law 480:			
Title I: <sup>1</sup>			
Milk, condensed.....	12.6	15.5	12.0
Milk, dried.....	7.5	4.3	6.8
Milk, evaporated.....	3.0	.3	.3
Butter and butter products.....	.9	4.3	6.2
Cheese.....	.1	1.0	.4
Total.....	24.1	25.4	25.7
Title II:			
Milk, dried.....	8.9	5.0	8.0
Butter and butter products.....	11.9	2.4	-----
Cheese.....	.5	-----	-----
Total.....	21.3	4.6	8.0
Title IV: <sup>1</sup>			
Butter and butter products.....	1.4	1.4	1.9
Milk, condensed.....	.7	-----	-----
Milk, evaporated.....	.2	-----	-----
Total.....	2.3	1.4	1.9
Total, Public Law 480.....	47.7	31.4	35.6

See footnotes at end of table, p. 43.

*Net realized losses and funds used for activities directly involving dairy products  
fiscal years 1964-65 and 1966 (estimate)—Continued*

[Millions of dollars]

	Fiscal years		
	Actual		Estimate
	1964	1965	1966
CONSUMER AND MARKETING SERVICE			
Special milk program for children.....	97.1	86.6	89.0
Removal of surplus agricultural commodities (sec. 32):			
Butter.....	52.8	12.3	50.0
Cheese.....	23.9	12.7	5.0
Milk, dried.....	8.3		20.0
Total.....	85.0	25.0	75.0
Total.....	829.0	403.9	390.2

<sup>1</sup> Amounts shown represent gross cost; do not reflect recoveries from sales of foreign currencies under Title I and collections under Title IV.

<sup>2</sup> Denotes negative item which results from adjustment of prior activity.

Mr. HEALY. I have some figures here, Senator, which show that in—

The CHAIRMAN. This includes everything.

Mr. HEALY. I would like at this point to put some figures into the record.

The CHAIRMAN. Anything that you want to put in to counteract this, if you have them, we would like to have them.

Mr. HEALY. Because I think the price-support program cost something in the neighborhood of \$250 million last year. That is about \$100 million on special milk. I would like to put them in at this point, if I may.

The CHAIRMAN. Yes, you may.

Mr. HEALY. Because the \$800-some million that you mentioned there is considerably beyond my recollection of what it was for the year.

The CHAIRMAN. It is all in detail here. You might look into it. If there is anything wrong with these figures, you might correct them.

There is this letter from the Department of Agriculture itself.

Mr. HEALY. Yes, sir.

The CHAIRMAN. It was not worked up by the committee.

Mr. HEALY. All right.

The CHAIRMAN. This is in three columns, 1964, 1965, and the estimate for 1966. That would include all of the milk programs.

Mr. HEALY. I appreciate the opportunity to put these in, because I think that we have a little bit different view on this thing. These are considerably apart from the numbers which were developed by the committee last year at about this time.

(The information is as follows:)

NATIONAL MILK PRODUCERS FEDERATION,  
Washington, D.C., June 23, 1966.

HON. ALLEN J. ELLENDER,  
Chairman, Senate Committee on Agriculture and Forestry,  
Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: During the testimony which I presented to your Committee on June 21, you introduced into the record a tabulation submitted



by the Department of Agriculture listing the costs for all of the dairy programs administered by the program for three years.

The tabulation indicated that for the fiscal year ending June 30, 1964, \$829 million were spent; for the fiscal year ending June 30, 1965, the costs had been reduced to \$403.9 million; and that the estimate for fiscal year ending June 30, 1966, indicated that the costs would be \$390.2 million.

A review of these costs indicates that for the past three fiscal years the Commodity Credit Corporation has sustained ever decreasing costs. More current estimates for the 1966 fiscal year from the Department of Agriculture indicate that the realized loss and cost estimate has been reduced to \$257.9 million.

When one considers that these costs are a total of price support operations, military milk programs, the payment-in-kind export programs, section 32 expenditures, the special milk program, and P.L. 480, it is remarkable that so much has been done for so many programs at this cost.

Sincerely,

PATRICK B. HEALY, *Assistant Secretary.*

The CHAIRMAN. Is there anything else?

Mr. HEALY. Yes, sir, I have a few more remarks.

I think it is very important, Senator, that you understand that this basic legislation which we have, much of which emanated from this committee, has done a remarkable job in maintaining farm income and in holding surpluses to a minimum.

The milk crop, which is the biggest crop in the country, has never had more than 7.5 percent surplus, and I think that it is a marvelous thing. I think also that many of these programs, the school lunch program and the school milk program, are a basic part of our milk programs, and when we start to tamper with them and to join them with this and that and use them to promote the Economic Opportunity Act, and so on, then we must be very careful. And the way we remain careful is to keep them apart, so that we can constantly look at them and you can constantly look at them.

The CHAIRMAN. That will be done, I can assure you, because the appropriation method is no different except with a few limitations than what is incorporated in this new bill. There is no difference at all. It is separate.

Mr. HEALY. It is separate.

The CHAIRMAN. And the appropriations will be separate.

Mr. HEALY. It is, of course, my thesis is that it should remain so.

I was very, very happy to hear the Secretary of Agriculture, on page 9 of his testimony, depart from the attitude that has been expressed here before by the administration regarding this program. You know, they sent a budget request up here for about 20 percent of what had been used in the program before, and now he is asking that even the \$100 million limitation on the authorization for the appropriation which is contained in this bill be eliminated; that funds can and should be provided. In other words, in keeping with the growth rate of the program—and it is a very happy occasion for me to come before this committee and to be able to endorse wholeheartedly what the Secretary has said.

The CHAIRMAN. You can blame me with the limitation, because I had it put in there.

Mr. HEALY. You had it put in there?

The CHAIRMAN. That is right. I simply put it in there so that the committee could give it thought.

Mr. HEALY. Yes, sir.

The CHAIRMAN. And I presume that when we meet in executive session that we will mark up the bill which, I hope, will be to the satisfaction of all of you people.

Mr. HEALY. You know, in S. 2921, about which we testified before, we asked for \$110 million for the next fiscal year, and \$115 million for the following fiscal year, and \$120 million thereafter.

The CHAIRMAN. Every year thereafter, \$120 million?

Mr. HEALY. Yes, sir. A minimum of \$120 million.

The National Milk Producers Federation has great concern for the poverty-stricken people in the United States and, without reservation, will support sound and effective measures which will provide needed assistance for this group of our people. In this regard, it may be that the judgment of this committee will result in provisions for exploration of pilot feeding programs in destitute areas and provisions for grants-in-aid which will allow schools located in economically depressed areas to take advantage of the school lunch program and the special milk program for children as they are now operated without impairing funds appropriated for the purchase of food under either of these programs.

Mr. Chairman, may we again express our appreciation to you and to this committee for your concern over these programs which provide so vital a part in the development of a national sound nutrition program for children.

The CHAIRMAN. Thank you.

We will next hear from Mr. Gordon W. Gunderson, chairman of the legislative committee of the American School Food Service Association.

**STATEMENT OF GORDON W. GUNDERSON, CHAIRMAN, LEGISLATIVE COMMITTEE, AMERICAN SCHOOL FOOD SERVICE ASSOCIATION, MADISON, WIS.**

Mr. GUNDERSON. Mr. Chairman and members of the committee, I am here today representing the more than 48,000 members of the American School Food Service Association which includes the directors of the State agencies responsible for the administration of the school lunch and special milk programs throughout the Nation. We are grateful to you for granting us an opportunity to express our views concerning S. 3467.

The American School Food Service Association reaffirms its support of the intents and purposes of the national school lunch program and the special milk program. We wish to again commend the Congress for initiating these programs and supporting them over their many years of growth and development. The national school lunch program has reached its 20th anniversary, and the special milk program has attained its position of prominence after having demonstrated its excellence over 12 years of unprecedented growth.

We are deeply appreciative of the interest of the Congress in expanding these basic programs by means of amending the National School Lunch Act as proposed in S. 3467 to even more fully meet the nutritional needs of our Nation's children. The grants-in-aid to assist States in starting breakfast programs and for nonfood assistance for acquisition of facilities to establish, maintain, and expand food service programs in schools drawing attendance from areas in which



poor economic conditions exist will bring about improved nutrition for untold thousands of children whose dietary needs are not now being met.

The addition of a new section 13 provides for the extension of the special milk program beyond the expiration date of existing legislative authority, June 30, 1967. The enactment of such legislation now will assure uninterrupted operation of this excellent program and will enable school administrators, parents, and industries affected to plan accordingly.

The American School Food Service Association is deeply concerned, however, over the ceiling of \$100 million which this amendment would place upon the annual appropriation for this program beginning with fiscal year 1968. In operating the program for the current fiscal year under the same limitation, it has been necessary to reduce reimbursement to schools by 10 percent of the amount claimed at established rates. In other words, an appropriation of \$100 million has proven inadequate to meet program demands at its current level by 10 percent. It is our sincere belief that a continuation of such ceiling year after year would tend to "phase out" the program entirely by 1970. We believe this is a program which cannot be stabilized at a given level; it must have an opportunity for growth, or it will die. This is equally true of the school lunch program. In our testimony earlier before Appropriations Committees of both Houses, we have attempted to emphasize the importance of adequate funding of both programs to provide for normal growth. Therefore, we believe that a continuing decline in rate of reimbursement brought about by a fixed ceiling on the annual appropriation for the special milk program would ultimately result in its termination.

We respectfully recommend, Mr. Chairman, that the annual appropriation not be limited in this legislation but that the needs of the program be determined, and proper appropriation be provided by the Congress each ensuing fiscal year.

Inasmuch as the other proposed amendments in this bill provide for apportionment of funds to the States, it is our recommendation that a similar provision be included in section 13 with respect to the funds appropriated for the special milk program.

We further recommend that such apportionment be based upon fund utilization by the respective States during the preceding fiscal year. This is currently the basis for apportionment.

The urgent need for augmenting State staffs is almost universal. The proposed amendment of the act to utilize a small portion of the appropriation to help State educational agencies meet expenses in administration of the programs will be of significant help in strengthening each State's school food service staff in order that additional technical assistance may be given to schools in starting the new programs and in meeting the many diverse challenges of school food services.

Although we understand the intents and purposes of the new section 18, we respectfully recommend the addition of a provision which would prohibit the duplication of assistance to such programs from Federal sources in utilizing funds appropriated under the provisions of this act, as amended. I think that has been fairly well covered.

In summary, Mr. Chairman, the American School Food Service Association wishes to affirm its full support of the provisions of this



legislation. We have recommended minor changes which we believe to be to the best interest of the programs, and are confident they will receive due consideration in your deliberations over the proposed legislation.

Again, I want to thank you for granting us an opportunity to be heard.

I might add, Mr. Chairman, a brief comment in addition to the formal statement.

I was very much pleased over your concern in the bringing of feeding programs in schools by various agencies under one umbrella for the purpose of administration of these programs in the States. This is of tremendous importance, and it would be a tremendous addition to this legislation, because it is confusing, it is difficult. There is an opportunity for duplicating assistance, confusion in administration, for other feeding programs to tend to take over, and if something could be done in this area, we would be very pleased.

The CHAIRMAN. We will do our best, insofar as I am concerned. Since the school lunch program has been ably administered under the Department of Agriculture, I would like to see it stay there—all of it to be under the Department of Agriculture.

Mr. GUNDERSON. There is a tendency, I know in my own State, under title I of the Education Act and the Economic Opportunity Act, for there not being a provision as to the quality of the meals served. The funds are given out, but there are not specific criteria as to what the meals should contain. So, you have here a program probably in one or two schools in a city serving one type of lunch and a program in the remaining schools in the city that are governed by specific requirements as to the meal content. This, certainly, is not a desirable situation.

The CHAIRMAN. This means a lot of duplication if you have two or three agencies handling the same program.

Mr. GUNDERSON. And the administration of it. We become shut out, more or less.

The CHAIRMAN. And then you will have them vying among themselves for the funds.

Mr. GUNDERSON. That is correct.

The CHAIRMAN. Exactly. We will see what we can do to doctor it up some.

Mr. GUNDERSON. Thank you very much.

The CHAIRMAN. Thank you very much.

This concludes the hearings on the bill. I am very hopeful that the committee can meet sometime soon to mark up not only this bill but the food-for-freedom bill. We will try to do that early next week if possible.

The committee will stand in adjournment, subject to the call of the Chair.

(Whereupon, at 12:05 p.m., an adjournment was taken, subject to the call of the Chair.)

(Additional statements filed for the record are as follows:)

STATEMENT OF TONY T. DECHANT, PRESIDENT, NATIONAL FARMERS UNION

Mr. Chairman and Members of the Committee, I want to thank the Chairman and Members of the Committee for this opportunity to present the views of National Farmers Union on S. 3467. We understand this bill is largely the result of the work of the Chairman of the Committee.

The objective of this legislation is to extend the benefits of the National School Lunch Program—a goal long supported by National Farmers Union. We have testified on a number of occasions in the past concerning the need to expand the program to schools now without any kind of feeding program and to make it more effective in meeting the nutritional needs of children in schools with a program.

We are especially pleased to learn that President Johnson, through Secretary Freeman, has indicated that he will ask for a special \$42 million supplemental appropriation to finance a low price lunch program in schools serving needy areas. We understand that Section 11 of the National School Lunch Act authorizes such a program.

In order that there will be no misunderstanding as to the position of Farmers Union, I would like to make it clear that we believe that the amendments to the National School Lunch Act and the new program direction which this bill provides should be supplemental to existing programs, the funds that Congress will appropriate this year for the School Lunch and School Milk Programs should be protected.

In this connection we would point out that Secretary Freeman in his statement to the Committee yesterday, indicated that he would not object to amending S. 3467 to make the School Milk Program permanent. Our organization earlier asked Congress to enact S. 2921, introduced by Senator Proxmire and co-sponsored by most Members of the Senate. We believe this program is needed and that it can be justified in terms of nutritional needs of children.

The delegates to the recent convention of National Farmers Union, for example, spelled out their immediate and specific objectives in the Policy Statement of our organization as follows:

*"School Lunch and School Milk.* Increased appropriations for school lunch and a permanent milk program to meet the need created by an expanding enrollment in our schools. Congress should continue to offer Federal aid for all participating children not just for underprivileged. We find several commendable proposals in the suggested Child Nutrition Act, particularly for grants in aid for kitchen and lunchroom equipment for schools now without a program, for a pilot school breakfast program and for efforts to expand total participation. However, we feel these new measures should be in addition to what is now being done, rather than as a replacement for it."

There is no more pathetic problem facing our Nation than that of children who arrive at school hungry. Learning is a futile effort for such children and a waste of the teaching and physical resources that may be dedicated to the task. We especially want to commend you, Chairman Ellender, for your understanding of the need for inaugurating a pilot breakfast program.

Further, we believe that the program provided by S. 3467 to establish a permanent program to assist low income school districts to acquire food service equipment is a meritorious step forward in the effort to close the nutritional gap that exists among our school-age children. We further understand that as the result of the enactment of this legislation, feeding programs will be extended to pre-school activities. This will fill a need that has been largely ignored in the past.

While we are greatly encouraged by the understanding and humane attitudes that the bill before the Committee reflects, we want to point out that additional funds must be appropriated by the Congress if the provisions of the bill are to be of maximum benefit to the Nation.

We know of no more important way to utilize the resources of our Nation than to expand the programs authorized under the School Lunch Act, as this bill would amend it, toward the goal of providing school age children the food they need. This effort should be made without regard to the financial status of the parents.

In closing we would like to point out that the funds provided by Congress have, for the most part, been a very small percentage of the total of funds spent on school feeding programs. As the Secretary of Agriculture pointed out yesterday, the \$325 million a year which the Federal Government has provided in dollars and in donated foods over the past few years is largely a catalyst to help provide the incentive for states and local communities to establish school feeding programs, contributing their own resources.

In every school where a program exists, there are dedicated employees and many volunteers who have made possible the School Lunch Program as we know it. They are to be commended because without their leadership, dedication and work the School Lunch Program would not have been the effective program that it is today.



WASHINGTON, D.C., June 21, 1966.

HON. ALLEN J. ELLENDER,  
*Chairman, Senate Committee on Agriculture,*  
*Washington, D.C.*

DEAR MR. CHAIRMAN: The American Parents Committee is grateful for this opportunity to have our statement included in the record of hearings on S. 3467, the proposed amendments to the National School Lunch Act.

We are appreciatively aware that S. 3467 makes no provision for food service outside of the school system. In our 20-year record of support of the School Lunch Act, the American Parents Committee has always considered the School Lunch program to be a part of the overall pattern of education, rather than limited to welfare. In this way, the school child learns correct nutritional habits while physically benefitting from well-balanced meals offered through the schools, even if not through the home.

While the students' economic background does not always determine the availability of well-balanced meals, it has been stated by many advocates of the School Lunch program, that for many students from poverty-stricken areas, their school lunch is the only real meal they know—indeed, sometimes the primary motivation for their remaining in school.

Section 14 of S. 3467 provides such students with the type of meal that all school children hopefully should have—a balanced school breakfast.

In selecting the schools for this pilot program of school breakfasts, the State educational agency is to give first priority to areas "in which poor economic conditions exist." We feel this is entirely consistent with the intent of the original Act's Section 11, as is the subsequent language guarding against discrimination of any child unable to pay for his meal.

Singling out the poverty-stricken child in school cafeterias has been successfully avoided in many ways by local administrators of the school lunch program, perhaps most effectively by the issuance of lunch tickets. We are confident that the same safeguards could be employed with equal success, for the school breakfast program.

Section 15's authorization of non-food assistance is, especially, worthy of support, in recognizing that the local tax-base in some areas cannot provide cafeteria facilities in existing schools. Although over 18 million students at present participate in the School Lunch program, this is only one-third of the possible total. In some areas, of course, students will continue to be within easy walking distance of their homes at lunch time. But our over-all pattern of national growth, both urban and suburban, strongly suggests that school-lunch facilities will be needed more, rather than less, in the future. In isolated rural areas, school lunches continue to be a necessity, rather than a choice for those students.

The provision in Section 18 assigning preference to programs carried out under the Elementary and Secondary Education Act, and the Economic Opportunity Act is, we feel, unfortunate, since it invites confusion and duplication of effort. With two decades of effective administration of the School Lunch Act, the U.S. Department of Agriculture and state agencies should not have their administration thus hampered.

Section 17 recognizes the commensurate difficulties of administration, in wisely providing an increase for administrative expenses under the new Act.

While the over-all intent in S. 3467 is highly commendable, the American Parents Committee is distressed to note the limitations imposed on the Special Milk Program, in Section 13. In the early part of 1966, Executive action withheld \$3 million from the \$103 million appropriated by Congress for the Special Milk program in fiscal 1966. This action caused a 10% cutback, nationwide, in the availability of milk for children under this program. We feel such a situation exemplifies dramatically the danger of restricting the growth of the program, while at the same time attempting to adhere to the legislative intent of the Act, "to encourage consumption of fluid milk by the children in the United States." In five years' time, so the demographers tell us, half our population will be under the age of 25; and by the year 2000, the present population will double. To restrict the availability of such a vital food to the growing one-third of our nation would not seem consistent with our hopes for the health of the generation upon which our national future depends.

Respectfully,

MRS. BARBARA D. MCGARRY,  
*Executive Director, American Parents Committee.*



## STATEMENT OF HON. VANCE HARTKE, A U.S. SENATOR FROM THE STATE OF INDIANA

Mr. Chairman, the contribution of the special milk program to the health and well-being of the Nation's schoolchildren is incalculable. I most strongly urge that the most effective measures possible be taken to insure the continuation and the expansion of this eminently worthwhile program. I believe that S. 2921, a bill introduced by my distinguished colleague from Wisconsin, Senator Proxmire, and of which I am a cosponsor, better guarantees the future success of the program than does the bill presently under consideration, S. 3467. However, I certainly want to support whatever improvement can be made legislatively.

The stated purpose of the special milk program is to increase the consumption of fluid milk by the Nation's children through a program of Federal reimbursements to schools and other child-care institutions, which are thus enabled to offer the children milk at reduced prices—in some cases free. Since its inception in 1955, the program has provided low-cost milk for literally millions of schoolchildren. The program has expanded its services with every year of its operation. At its inception, 41,094 schools participated; now, in 1966, an estimated 93,000 of the Nation's schools, summer camps, and child-care institutions are able to serve milk at reduced prices—close to 3 million half pints in 1965 alone.

The inestimably great contribution of the special milk program to the welfare of the Nation's schoolchildren, the program's continued steady growth, and its demonstrable nationwide popularity all militate against its being jeopardized by insecurity of continuation or by inadequate funding. Yet I fear that both are likely if section 13 of S. 3467 is adopted as it now stands.

Section 13 would extend the program for only 4 years and would place a ceiling of \$100 million on program appropriations. Given the program's present steady expansion rate, such a ceiling could sound its death knell. Already, in 1966, the present appropriation is insufficient fully to reimburse the schools taking part. The reimbursement rate was reduced to 95 percent in 1965 and fell further to 90 percent in 1966, with total estimated costs for reimbursement and administration topping \$99 million. Whether the program can continue to function at its present level of effectiveness with the ceiling suggested in S. 3467 is therefore an issue of considerable concern.

In view of these considerations, I most urgently request the committee's favorable consideration of S. 2921, which came before the committee in May of this year. S. 2921 would make the special milk program permanent and guarantee a minimum appropriation of \$105 million in 1967, scaling upward to \$120 million in 1970. With a permanent program, and appropriations guaranteed along the guidelines advocated by the distinguished Senator from Wisconsin, the continued effectiveness of the present program would be assured.

I learned with great pleasure of the distinguished Secretary of the Agriculture's recent statement in support of removing the appropriations ceiling and of establishing the program on a permanent basis—provisions both provided for in S. 2921. I concur with the observations of the Secretary on this matter.

I urge the committee's favorable consideration of the other major provisions of S. 3467—the pilot breakfast program and the nonfood assistance program. The first would provide funds for establishing breakfast programs in schools drawing pupils from needy areas; the second would provide funds to assist schools in needy areas to establish and maintain food programs. In my own State of Indiana, there were in 1960 better than 76,000 children who could hope to benefit from these programs if they are enacted. Both the breakfast and the nonfood assistance programs are much needed steps in the direction of assuring that no schoolchild face the unhappy problem of attempting to learn on an empty stomach.







# NATIONAL SCHOOL LUNCH ACT

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HEARING  
BEFORE THE  
SELECT SUBCOMMITTEE ON EDUCATION  
OF THE  
COMMITTEE ON EDUCATION AND LABOR  
HOUSE OF REPRESENTATIVES  
EIGHTY-NINTH CONGRESS  
SECOND SESSION

ON  
**S. 3467**

AN ACT TO AMEND THE NATIONAL SCHOOL LUNCH ACT,  
AS AMENDED, TO STRENGTHEN AND EXPAND FOOD  
SERVICE PROGRAMS FOR CHILDREN

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HEARING HELD IN WASHINGTON, D.C.,  
JULY 21, 1966

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Printed for the use of the Committee on Education and Labor  
ADAM C. POWELL, Chairman



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## CONTENTS

---

	Page
Text of S. 3467-----	1
Statements of—	
Davis, Howard P., Deputy Administrator, Consumer Food Programs, Consumer and Marketing Service, U.S. Department of Agriculture_	5
Gereau, Mrs. Mary Condon, legislative consultant, National Educa- tion Association-----	23
Prepared statement of Mrs. Mary Condon Gereau, legislative consultant, National Education Association-----	23



# CONTENTS

Page

Introduction	1
Chapter I	10
Chapter II	20
Chapter III	30
Chapter IV	40
Chapter V	50
Chapter VI	60
Chapter VII	70
Chapter VIII	80
Chapter IX	90
Chapter X	100
Chapter XI	110
Chapter XII	120
Chapter XIII	130
Chapter XIV	140
Chapter XV	150
Chapter XVI	160
Chapter XVII	170
Chapter XVIII	180
Chapter XIX	190
Chapter XX	200
Chapter XXI	210
Chapter XXII	220
Chapter XXIII	230
Chapter XXIV	240
Chapter XXV	250
Chapter XXVI	260
Chapter XXVII	270
Chapter XXVIII	280
Chapter XXIX	290
Chapter XXX	300

# NATIONAL SCHOOL LUNCH ACT

THURSDAY, JULY 21, 1966

HOUSE OF REPRESENTATIVES,  
SELECT SUBCOMMITTEE ON EDUCATION  
OF THE COMMITTEE ON EDUCATION AND LABOR,  
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to call, in room 2257, Rayburn House Office Building, Hon. Roman C. Pucinski (chairman of the subcommittee) presiding.

Present: Representatives Pucinski, Daniels, Scheuer, Bell, and Andrews.

Also present: Jay H. Foreman, subcommittee counsel; Mattie L. Maynard, subcommittee clerk; and Charles Radcliffe, special minority counsel on Education.

Chairman PUCINSKI. The committee will come to order.

The purpose of our meeting this morning is to hear testimony on S. 3467, to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

We feel that the National School Lunch Act has been one of the cornerstones of the American educational system. It has worked extremely well, and we are happy to see that the Senate has not weakened the program in any way but has strengthened it with several new and innovative provisions, including a pilot breakfast program to certain schools in the country.

(Text of S. 3467 follows:)

[S. 3467, 89th Cong., 2d sess.]

AN ACT To amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National School Lunch Act, as amended, is amended—*

(A) By inserting in section 3 before the period at the end thereof the following phrase: "and other than sections 13 through 15 and section 17".

(B) By inserting in section 6 after the word "Act" where it first occurs the following: "(other than sections 13 through 15 and section 17)".

(C) By adding at the end of subsection (d) of section 12, the following new paragraph:

"(8) 'Nonprofit institution' means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual."

(D) By adding at the end of the Act the following new sections:

"SPECIAL MILK PROGRAM

"AUTHORIZATION

"SEC. 13. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal

years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section 'United States' means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478 as amended, during the fiscal year ended June 30, 1966.

#### "SCHOOL BREAKFAST PROGRAM

##### "AUTHORIZATION

"SEC. 14. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools drawing attendance from areas in which poor economic conditions exist and in schools to which a substantial proportion of the children enrolled must travel long distances.

##### "APPORTIONMENT TO STATES

"(b) Of the funds appropriated for the purposes of this section for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, the Virgin Islands, Puerto Rico, and American Samoa. Such funds shall be apportioned among such States on the basis of the ratio of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.

"(c) Of the remainder of the funds appropriated, the Secretary shall for each fiscal year, (1) apportion the first \$2,500,000 equally among the States, other than Guam, the Virgin Islands, Puerto Rico, and American Samoa, and (2) apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.

##### "STATE DISBURSEMENT TO SCHOOLS

"(d) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (e). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances.

"(e) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

##### "NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

"(f) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutri-



tional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### "NONPROFIT PRIVATE SCHOOLS

"(g) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under subsections (b) and (c) of this section an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children enrolled in all schools within the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### "NONFOOD ASSISTANCE PROGRAM

##### "AUTHORIZATION

"SEC. 15. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and for each fiscal year thereafter such sums as may be necessary to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

#### "APPORTIONMENTS TO STATES

"(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of this Act for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that one-fourth of the cost of any facilities financed under this subsection shall be borne by State or local funds.

#### "STATE DISBURSEMENT TO SCHOOLS

"(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of local tax sources to finance the food service equipment and facilities needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### "NONPROFIT PRIVATE SCHOOLS

"(d) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsection (b) an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary under section 9 of this Act served in the preceding fiscal year by all nonprofit private schools participating in the program under section 2 within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same pur-

poses and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### "PAYMENTS TO STATES

"SEC. 16. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 13 through 17 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### "STATE ADMINISTRATIVE EXPENSES

"SEC. 17. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under sections 11, 14, and 15 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

#### UTILIZATION OF FOODS

"SEC. 18. Each school participating under section 14 of this Act shall insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchases under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

#### "NONPROFIT PROGRAMS

"SEC. 19. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

#### "STATISTICAL DATA

"SEC. 20. Data on numbers of children of ages five through seventeen and on per capita income shall be made available by the Secretary of Commerce to the Secretary and, except where otherwise expressly stated in this Act, shall be the latest available. Data on the numbers of children, ages 5 through 17, in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children shall be provided by that Department.

#### "REGULATIONS

"SEC. 21. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

#### "PROHIBITIONS

"SEC. 22. (a) In carrying out the provisions of sections 13 through 15 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any nonprofit institution.

"(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

## "PRESCHOOL PROGRAMS

"SEC. 23. The Secretary may extend the benefits of school feeding programs under this Act to include preschool programs operated as part of the school system.

## "CENTRALIZATION OF ADMINISTRATION

"SEC. 24. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act.

## "NO CHANGE IN SCHOOL LUNCH PROGRAM

"SEC. 25. The Secretary shall administer sections 1 through 12 of this Act to the maximum extent practicable in the same manner as he administered those sections during the fiscal year ended June 30, 1966."

Passed the Senate July 12, 1966.

Attest:

EMERY L. FRAZIER,  
*Secretary.*

Chairman PUCINSKI. Our first witness this morning is Mr. Howard Davis, Deputy Administrator, Consumer Food Programs, Department of Agriculture. I believe he has the responsibility of administering this program.

Mr. Davis, would you please come forward?

**STATEMENT OF HOWARD P. DAVIS, DEPUTY ADMINISTRATOR,  
CONSUMER FOOD PROGRAMS, CONSUMER AND MARKETING  
SERVICE, U.S. DEPARTMENT OF AGRICULTURE**

Chairman PUCINSKI. Before I call upon you, permit me to ask my colleagues if they have any additional remarks before we proceed.

Mr. Scheuer, do you have any remarks?

Mr. SCHEUER. No.

Chairman PUCINSKI. Mr. Andrews, do you have any remarks?

Mr. ANDREWS. I am with you, Mr. Chairman.

Chairman PUCINSKI. That is an encouraging statement.

Mr. Davis, I know you have a prepared statement. Your statement will go in the record in its entirety at this point, or, if you would like to read the statement, you may do so. Please proceed as you wish.

Mr. DAVIS. I would prefer to read the statement:

Mr. Chairman, Members of the Select Subcommittee, I welcome this opportunity of appearing before you to urge favorable consideration of S. 3467, to broaden our authority and coverage to improve child nutrition in this country.

This bill is designed to follow closely the lines of administration, operation and communication that have served well in our twenty years of operation of the National School Lunch Program and our twelve years of experience with the Special Milk Program.

You will note that the bill does not change the National School Lunch Program. It will be continued in its present form. However, program coverage will be broadened to include children enrolled in pre-school activities operated through the school system.

Senate 3467 also authorizes a pilot breakfast program for schools in low-income districts and for schools where the children enrolled travel long distances; a four-year extension of the Special Milk Program; a permanent program to assist low-income school districts to acquire food service equipment; the use of Federal



funds to help State agencies meet the costs of administering the new features; and, centralization of authority for the administration of child food service in the Department of Agriculture.

Our goal for improved child nutrition is quite simple—every child, regardless of his family's income, shall have access to a complete and nutritionally sound meal at school.

We have come a long way toward reaching this goal under existing legislative authority. During the past fiscal year, 71,000 schools throughout the 50 States, the District of Columbia, the Commonwealth of Puerto Rico and in the Territories, participated in the National School Lunch Program.

The program is available to three-fourths of the children enrolled in all our elementary and secondary schools and the 18 million children—about half of those enrolled in these schools—who participated, consumed a record of 3 billion meals. About 10 percent of these meals were served free or at a token price to children who could not afford the full price of the meal.

I have stated that we have come a long way under existing authority. However, during the 1962-63 school year, at the direction of the Secretary of Agriculture, we explored in detail the growth of the program—which on the surface seemed a quite satisfactory 6 to 8 percent a year—and the question as to whether or not we were reaching the children most in need of the program.

The results of that survey jarred any complacency we might have had. We found there were nine million children without access to a food service at school. One million of these were children of poverty who should have a meal at reduced price or free of charge—if it were available.

We found there were another half million children of low-income families that were attending schools with a lunch program but where the combined resources available were inadequate to support the necessary level of reduced price or free meals.

The nine million children in schools with no food service are primarily in isolated rural schools and in downtown urban schools. In both situations these schools tend to draw attendance from children of low-income families. These schools and these children need help.

This Committee assisted in adding Section 11 to the National School Lunch Act in 1962. This section provided for additional assistance to lunch programs in schools drawing attendance from particularly needy areas. With the \$2 million made available by the Congress for this assistance last year, we have made a start toward reaching needy children not heretofore getting a lunch.

New authority to provide low-priced lunches will not be required but larger appropriations for Section 11 will be needed if we are to reach the 1.5 million children who need this help. Additional lunchroom equipment will also be needed.

In addition to this gap in school lunch program coverage, there has grown an increasing awareness that too many of our children arrive at school hungry in the morning. In Urban areas, there are thousands of families where both parents leave for work long before the children leave for school. An organized family breakfast is unheard of. In rural areas, thousands of children travel long distances by bus and even if they have had a fairly decent breakfast, it is a long time until lunch.

S. 3467 will help us close both of these gaps. First, through the provision for authority to supply equipment for food service to schools drawing attendance from low-income families which have been unable to finance the equipment needed to start a lunch program. Second, through the proposed breakfast program. We have had some experience in starting programs in poor schools with no lunch facilities or equipment.

During the 1961-62 school year, we recommended and the Congress provided for a Special Commodity Assistance Program for needy schools. We developed a kind of domestic CARE package that contained the essentials for a balanced lunch. This package was shipped to participating schools. It was a less than adequate solution.

During the winter of 1962-63, we worked with officials of the Kentucky State school lunch staff to get a program going in the isolated one and two-room schools in the Appalachian area of that State. Over a period of several months, a lunch program was started in some 380 schools with an enrollment of about 11,000 children. These were schools where space for food storage, preparation and service was virtually non-existent—sanitation facilities were less than adequate—but the job got done.

By using two-burner hot plates, second-hand refrigerators and asking the children to bring a plate and fork from home, a lunch program was started and

maintained. The State School Lunch Director diverted extra Federal funds to these schools and supplied them with extra allotments of donated foods so they could meet the Type A meal requirements.

We have made special studies, too, of the problem of getting food service into downtown urban schools where there are no food service facilities available and where there is no place to put them. Some help in organizing and providing central kitchen facilities to service satellite schools has provided an effective solution in many instances.

S. 3467 will help close the second gap by authorizing the secretary to initiate a two-year pilot breakfast program. The breakfasts served will meet nutritional requirements based on tested nutritional research.

S. 3467 also provides for a four-year authorization of the Special Milk Program. We believe it appropriate that this program be included in this package of efforts to improve child nutrition. No one doubts the importance and impact of the Special Milk Program in supplementing the major thrust of making available at least one full meal a day to children at school. Over 3 billion half pints of milk were consumed by children under this program during fiscal year 1966. This is in addition to the 3 billion half pints consumed as part of the Type A lunch under the National School Lunch Program. The bill provides that the program would be continued just as it has operated in the past.

There is one additional feature of S. 3467 that we feel important—that is the provision for some assistance to the State agencies for administrative costs. We are at a point in time when the most difficult part of the job lies ahead for the State educational agencies that administer the National School Lunch and Special Milk Programs.

The Special Assistance or Section 11 phase of the National School Lunch Act was funded for the first time in fiscal year 1966. Our experience with Section 11 this past year was good but there is no question that the staff required in the selection of these schools and the additional direct time and attention required to provide first class technical assistance in these schools puts a burden on State school lunch personnel. Beyond this, we are now asking them to help schools initiate breakfast programs and to analyze proposals submitted by schools for equipment to initiate or expand food service.

In view of these circumstances, we feel it only reasonable to provide authority for the use of Federal funds to help the States defray the administrative costs of these new expanded efforts.

S. 3467 also places authority in the Department of Agriculture for the conduct and supervision of Federal programs to assist schools in providing food service for children. This will assure that these efforts will make full use of the experience, technical knowledge and administrative machinery developed over twenty years in the administration of the National School Lunch Program.

As you know, the President has indicated that he will offer a supplemental appropriation request to fund the new activities if they are approved by the Congress. Speaking for the Department, I can only urge your early and favorable action on this bill.

Chairman PUCINSKI. Thank you, Mr. Davis.

Mr. Scheuer?

Mr. SCHEUER. I enjoyed your testimony, Mr. Davis.

On page 2 of your testimony you mention that your national goal for improving child nutrition is quite simple; every child regardless of his family's income shall have access to a complete and nutritionally sound meal at school.

It seems our national goal is broader than that. It is to provide each child with a nutritionally sound diet, not necessarily at school. As evidence of that is the fact that in the administration program in the Child Nutrition Act there was a pilot program for summer lunches for children, Title IV: Special Services for Needy Children.

I might say that I introduced a bill, 9339, which was substantially comparable to the administration's proposed pilot program for summer lunches.

Chairman PUCINSKI. Will the gentleman yield?

You introduced that bill substantially before the administration's proposal.



Mr. SCHEUER. Yes; I introduced that bill many months before, in June of last year, substantially before the administration's proposal.

What would the reaction of the administration be if, in addition to this, a piece of legislation were made by amendment including a pilot program substantially along the lines which the administration proposed in title IV of the Child Nutrition Act, H.R. 13361, and more or less comparable to the prior proposal of mine, H.R. 9339?

Mr. DAVIS. I believe I, representing the Department, testified in favor of your proposed legislation generally with some technical reservations when this committee held hearings on that bill. The Department would still be in favor of the purposes of that legislation and perhaps the little broader coverage that is envisioned in our earlier title IV of the bill as first submitted to the Congress; the Child Nutrition Act as first submitted.

At this stage in the legislative process, if I might make an observation, it would perhaps expedite matters better if that legislation which has already been proposed in your bill, which has already been acted on and reported out by the full Education Committee, that that be allowed to take its course and this particular bill, at this particular time, be considered in its present framework.

Mr. SCHEUER. Apart from the question of the strategy and tactics of getting this program passed, I take it you are still in favor of the kind of pilot program in the Nutrition Act and the kind I proposed in H.R. 9339?

Mr. DAVIS. Yes, sir; that is correct.

Mr. SCHEUER. Thank you. I have no further questions.

Chairman PUCINSKI. Mr. Andrews?

Mr. ANDREWS. Not to start a controversy, but just as a matter of elemental interest, has the school lunch program ever been withheld on account of failure to comply?

Mr. DAVIS. Are you referring to title VI in the Civil Rights Act.

Mr. ANDREWS. That is right.

Mr. DAVIS. We have had, as far as the public schools are concerned, no refusals to sign the compliance form with the understanding that at this time the public schools can be in compliance with title VI and can participate in this program even though they have not yet completed or effected an integrated school.

This is based on the legislative history of the title VI legislation.

Mr. ANDREWS. We have two counties in Alabama that did not comply. Are they participating in the school fund distribution and were they given the funds anyway?

Mr. DAVIS. You stated they would not comply?

Mr. ANDREWS. They did not comply and did not get Federal funds.

Mr. DAVIS. To my knowledge the procedures have not been instituted as yet for any schools in Alabama to withhold funds.

Mr. ANDREWS. Do you plan to withhold these Federal funds in case there is noncompliance?

Mr. DAVIS. Yes, sir; this would be provided for under the act and we would conform to that legislation.

Mr. ANDREWS. In other words, for political considerations you would leave a bunch of children hungry if a county failed to integrate properly?

Mr. DAVIS. Speaking for the Department of Agriculture, we would be bound to carry out the law of the land.



Mr. ANDREWS. Tell me something about the pilot program, the breakfast programs. What criteria have been set up in the bill for the selection of these particular districts. You say some of the children were coming late and some were hungry by the time they got there. Others left home hungry. Others took a long time to get there even if they did eat.

So, we are going to try to start pilot programs. What generally do you consider to be the merits of this pilot breakfast program?

Mr. DAVIS. First, we would make available to all the States, on the basis of the formula in the bill, a specific amount of money which would be available to them to start pilot programs. The selection of the individual schools would be a State matter. They would determine which schools could inaugurate a pilot program.

In selecting these schools, however, they would be bound by the criteria as stated in the bill itself. It would be a school where most of the children or many of the children were bused long distances. This is becoming more and more prevalent in rural America where, in order to give the students the advantage of the best education that we can provide, it is necessary to bus them from long distances to a consolidated high school or grade school where there are enough children to warrant the kind of educational plant it would take to give them all the advantages that they should have.

This would be up to the State to determine whether this school met that requirement. We would not contemplate drawing any specific rings around the school and say, if the children came 25 miles, they could not have a breakfast program, but, if they came 26 miles, they could have a breakfast program. We would say generally that many of the children had to leave home because of the busing situation quite early.

On the other group where it is not necessarily a matter of when they leave home but the fact there is no breakfast at home, and where they come from very poor families, this would be determined the same way that these schools have been selected under our section 11 activities this past year.

This, again, is left up to the State to determine whether this is a real poor school.

Mr. ANDREWS. Mr. Davis, these grants without moorings, without guidelines, without specifics on where this money is going, doesn't this leave an awful lot to political distribution of food back and forth across the State, or does it, in your opinion?

Mr. DAVIS. We have not found it so in our limited experience with the special assistance program this past year under section 11 of the School Lunch Act.

Mr. ANDREWS. That is hardly a good question. I will withdraw it.

In your last paragraph you say something about the President has indicated he will offer a supplemental appropriation request to fund the new activities if they are approved by the Congress. The President recommended doing away with the school milk program almost entirely in his budget, did he not?

Mr. DAVIS. The original President's budget request did call for a considerable cut in those funds, yes, sir.

Mr. ANDREWS. What did his budget have to do roughly with the school lunch program? Did it cut that out entirely?

Mr. DAVIS. No, sir, I believe the cut there was in the magnitude of about \$19 million.

Mr. ANDREWS. But still this bill goes back to the original and adds a good deal to it, as a matter of fact, even while talking about economy, the President has promised to recommend the funding of these things with a supplemental appropriation?

Mr. DAVIS. Yes, sir, and he has said this will be over and above whatever the Congress decides should be the level of appropriations for the present school lunch and special milk programs.

In earlier testimony on this legislation the Secretary has assured the Congress that if the school lunch program and the special milk program are funded fully, the administration will still ask for a supplemental appropriation of about \$42 million to fund the new activities that are covered in the bill before the committee.

Mr. ANDREWS. In other words, he is not sticking to his original budget. It was just a posture of his about saving money. He is willing to go along with the Congress and actually make the recommendation if they go ahead on whatever they wish to vote for on this program?

Mr. DAVIS. I believe the Secretary stated it was an honest effort to make budget adjustments in many different areas in the total Federal Budget to bring it within expected revenues in view of the increased expenditures in Vietnam. However, the will of the Congress is being exercised and it looks as though, from the appropriation bill as passed both in the House and the Senate, that these programs will be funded adequately and certainly we will accept that and proceed accordingly.

Mr. ANDREWS. You have said the President's reason for cutting was on account of the Vietnam war and the interest of the economy. He recommended some hikes on the Defense program and neglected economy and everyone approved. But was feeding hungry children of such a low priority that he would practically eliminate it from the budget in order to save for Vietnam?

Mr. DAVIS. It was in the process of making adjustments throughout the Federal budget but I am quite sure that the President and Secretary will wholeheartedly carry out the mandate of Congress to carry on these programs.

Mr. ANDREWS. As a rule, this is true, sir.

Mr. DAVIS. He will do that with full funding.

Mr. ANDREWS. Carrying out the mandates of Congress is one thing but sponsoring a supplemental appropriation on an item purposely deleted from the budget is another thing which to me is a rather ambidextrous suggestion.

There was a suggestion that we include in the benefits of this program what they call a trust territory, which are a number of islands outside Hawaii—trust territories. Are you acquainted with these territories out near Hawaii where there are about 25,000 people?

Mr. DAVIS. Yes, sir.

Mr. ANDREWS. Don't you think in this program to introduce the extension of this program to those people and other programs we are sort of treading on State Department programs and we ought to consult them about that sort of thing before we do this? What do you know about these trust territories?

Mr. DAVIS. This question was considered by the Congress and it was the Congress that extended the programs to these other areas.



Mr. ANDREWS. You think it is a congressional prerogative, you don't think the State Department would have anything to do with that?

Mr. DAVIS. I am sure they were in favor of it.

Mr. ANDREWS. Thank you, very much.

Chairman PUCINSKI. One question was raised as to whether the President wanted to fight the Vietnam war at the expense of the hungry children of America. There is nothing in the President's recommendations that would deny this program to the hungry children of America. The original program indicated that lunches would be provided to the hungry and needy poor. This is just an attempt to phase out those communities that can afford to pay for their own resources, is it not?

Mr. DAVIS. That is exactly correct, Mr. Chairman. As a matter of fact, the budget request provided for an increase of funds for needy children under the School Lunch Act and there was express provision for needy children in the recommended level for the special milk program.

Chairman PUCINSKI. Thank you, sir. I did not agree with the President when he made the recommendation of reducing this program only to the very needy. I think this program has worked well in all the schools of the country.

I want the record to show here that at no time did the President propose to reduce the level of aid to the needy children of America through this program in order to finance the war in Vietnam.

Mr. ANDREWS. That was not specifically spelled out. The proposal was not specifically spelled out. Since this was an allotment to poor districts we have to count the fact that the Elementary and Secondary Education Act is pouring money into the Nation that could win the war that is going on.

Chairman PUCINSKI. The gentleman asked the question, if I understood correctly, of Mr. Davis as to whether or not the President was trying to finance the Vietnam war at the expense of hungry children. Mr. Davis responded that, on the contrary, the President in his original proposal requested that we increase aid to needy children but eliminate or phase it out in those communities in the country that can pay for their own resources.

Mr. SCHEUER. Would that be a community like Montgomery County?

Chairman PUCINSKI. I would assume so unless there are pockets of needy children in Montgomery County. I know there are pockets of needy children, because we are expending title I money in Montgomery County as well as in other parts of the country.

It is an illusion to think there are no poor people in Montgomery County. If there are poor people, under the President's proposal those people would actually get more improved service.

Mr. DAVIS. That is right.

Chairman PUCINSKI. We would have improved the level of assistance to those needy children under the President's proposal?

Mr. DAVIS. Yes, sir.

Mr. FOREMAN. Could you outline the major differences between the original administration proposal, the so-called Child Nutrition Act of 1966, and the bill before us at this time?

Mr. DAVIS. The only major substantive difference is in the deletion of what Mr. Scheuer referred to—title IV of our original Child Nutri-



tion Act. This would have provided for Federal assistance to lunch programs outside the school by private organizations not connected with the school system. This bill would limit our programs to those that are operated by the schools. That, other than some drafting differences, technical differences, I believe, is the only major difference.

Mr. FOREMAN. How much money was expended in fiscal 1965 and 1966 on the School Lunch Act?

Mr. DAVIS. In 1966 the total budget—the actual expenditures will come very close to the total appropriation—was \$202 million. This figure included not only the direct appropriations but the provision for transferring \$45 million from section 32 for the purposes of the national school lunch program but for all practical purposes the appropriation was \$202 million.

My recollection is that in 1965 this was about \$190 million.

Mr. FOREMAN. How much was appropriated for the special milk program?

Mr. DAVIS. In 1966 the Congress appropriated \$103 million for that program. In 1965 it was also \$103 million.

Mr. FOREMAN. How much money is the House presently appropriating for the lunch program for fiscal 1967?

Mr. DAVIS. \$202 million, the same figure as we had in 1966.

Mr. FOREMAN. Does that include the transfer of funds from section 32?

Mr. DAVIS. Yes.

Mr. FOREMAN. How much has been appropriated for the milk program?

Mr. DAVIS. \$103 million, the same as in 1966.

Mr. FOREMAN. What proportion of the lunches in the school programs are given free or at reduced prices?

Mr. DAVIS. Under the regular program, about 10 percent.

Mr. FOREMAN. How do you determine which children get a free or reduced-cost lunch?

Mr. DAVIS. As provided in the act, this determination is made by the local school authorities and generally it is done by the knowledge of the local school nurse, the schoolteacher, and the school principal.

In some instances they do require some information from the families themselves as to their status. In others, they seek the advice and assistance of the local welfare offices, but this is strictly a local school determination.

Mr. FOREMAN. Is it done on a confidential basis so other children do not know which children are receiving free or reduced-cost lunches?

Mr. DAVIS. Yes, sir. There is a provision in the act which requires that there be no discrimination or no identification of the children receiving free or reduced-price lunches.

The schools have developed many ingenious ways of doing this. To the best of our knowledge they have been quite successful in not identifying those children who are getting free meals.

Mr. SCHEUER. Would you say from the practical point of view whether or not the schools have identified those kids? Are the other students able to identify those kids? In other words, as a factor in today's school population, do the school kids pretty well know which of their companions are getting free or reduced-price lunches, whatever the source of their information may be?

Mr. DAVIS. In our reviewing of the school operations, which we do on a spot check basis as we review the State administration of the

program, we have been very sensitive to this question. To the best of my knowledge, we have found no widespread situation such as you were questioning. The other students do not know in most cases.

There, of course, we have no figures or anything like that, but to the best of our knowledge the local school people have been able to handle this quite satisfactorily.

Mr. SCHEUER. What is the total amount of revenue which the paying students pay, whether they receive the meals gratis or by some kind of partial payment in relation to the total program?

Mr. DAVIS. Perhaps the simplest way of answering that would be on the basis of the cost of the individual meal. These figures are based on national averages. The meal is presently costing a little over 50 cents on a national average. Out of this the children or parents of the children are paying a little more than 27 cents, a little better than half of the total cost in meals. The Federal assistance has been running around 12 cents and the State and local assistance through supplying labor, through public funding, has accounted for the other 11 cents out of the 50.

Mr. FOREMAN. When you refer to reduced-cost lunches, do you mean reduced in comparison to other children paying the full price?

Mr. DAVIS. Right.

Mr. SCHEUER. The ones paying full cost are subsidized?

Mr. DAVIS. Right.

Mr. SCHEUER. The most they pay is 27 cents?

Mr. DAVIS. That is right.

Mr. SCHEUER. There are four levels of payment; actual cost is roughly 50 cents, then the maximum a child pays at full cost is about 27 cents, then partial reduced cost, and finally the children that receive it for free.

Mr. DAVIS. That is right.

Mr. SCHEUER. If you take the total number of lunches multiplied by 50 cents and total dollars paid by the kids who pay something, what is the relationship between those two? By going through this elaborate mechanism of partial payment, how much of the total cost of the program is saved?

Mr. DAVIS. The total program, total cost to everyone is running about \$1½ billion a year. Out of that the Federal assistance, the \$202 million appropriated money, plus about \$125 million, the value of the surplus commodities donated to them, represents the Federal contribution.

Based on 1966 figures, the total Federal contribution, not counting the special milk program, just the school lunch, was as I just said approximately \$202 million plus \$125 million worth of donated commodities.

The local contributions, State and local contributions, were about \$325 million, the payments by children were \$835 million and, if I have given you all of the figures, this adds up to better than a billion and one-half dollars.

Mr. SCHEUER. So the kids pay a little over half and the Federal, State, and local governments pay a little less than half—about 45 or 50 percent?

Mr. DAVIS. Yes, sir.

Chairman PUCINSKI. The question has frequently been raised as to what would happen if we made the lunch program completely free



to all children. Would this require the Federal and State Governments to come up with an additional \$835 million?

Mr. DAVIS. Yes, sir.

Mr. ANDREWS. May I add you still leave out 9 million not covered at all now, 9 million children?

Mr. DAVIS. Yes, sir, there would still be 9 million children not getting it.

Mr. ANDREWS. How many do you anticipate in the program?

Mr. DAVIS. Currently 18 million.

Mr. ANDREWS. A third less, you would be talking about 22 million instead of everybody. Would you look favorably on this sort of thing?

Mr. DAVIS. No, sir, we feel in all of these programs that where the parents can afford to pay part or all of the cost of these lunches that they should. We feel however that to provide and to insure the existence of a lunch program for all of the children, that it would continue to require some Federal subsidy but we feel that under the present program that it is proper for the children to be paying the 27 cents out of the 50 cents where they can.

The part we are concerned about is that there are many children who, one, don't have a lunch program available to them, or two, still are not able to get a lunch because they can't afford to pay for it. This is what we would like to add to, through section 11 primarily, but with some assistance through the proposed section that would provide money for equipment in those schools that cannot afford it.

Mr. SCHEUER. As an educational matter and as a fiscal matter what is the logical distinction between the food a child consumes and the chalk, the crayons, the schoolbooks and other implements of education that he consumes?

Chairman PUCINSKI. And teacher salaries?

Mr. SCHEUER. No, I am not talking of teacher salaries, but the things a child consumes during a school day, and the total part of his well-being for his education. If it is logical to say to a child who can afford it that he can pay for the soup, why is it not proper to say to that child over the course of a week, month or year, "You are going to use so many dollars worth of paper, crayons and chalk, wood in shop, and letters in crafts. We think you should pay for that."

Chairman PUCINSKI. If my colleagues will yield, we do that. In many instances youngsters do pay for letter crafts and wood, metal, crayons and various other things.

Dr. MATTHEW. Not generally anymore.

Mr. SCHEUER. Did that use to be the practice?

Dr. MATTHEW. Yes, but since the 1940's this is an integral part of the equipment of a school.

Mr. SCHEUER. I am talking of material a child consumes.

Dr. MATTHEW. That is right. As far as supplies are concerned, children are usually expected to get them from the school. If they are not supplied, often the curriculum just does not offer the work rather than have the children buy the materials.

Mr. SCHEUER. I want to know is there any logical relationship between what a child consumes in shop, paper, letter and so forth and what he consumes during that 1 hour when he is eating?

Mr. DAVIS. I would say ultimately the Congressman is quite right, there is no difference.



Mr. SCHEUER. Would you say there is no logical difference?

Mr. DAVIS. I think we would have to agree with that. However, under the structure of this program now, and in the foreseeable future, it has grown in community support. This community support has been important to its success and the contributions of the children, or the parents of the children have put it on a quite different basis than if they were free.

Mr. SCHEUER. Would you elaborate on that? Is there any educational purpose or character-building purpose served by the kids paying for all or part of his lunch?

Mr. DAVIS. Generally, I think the public acceptance or the public attitude would be that the lunches were different from the strictly academic supplies in the school, the textbooks and so on. This is something they would normally pay for if the children went home for lunch, or if they had lunch at the corner drugstore. Instead of doing that, they pay for the lunch in school.

Chairman PUCINSKI. As long as you are on that subject, Mr. Davis, do you have any figures on what percentage of the school population, where lunches are available and the school actually participates in the program, goes off and buys a hotdog and coke at the neighborhood hotdog stand; as a good percentage of them do? Do you have a breakdown of that figure?

Mr. DAVIS. We have no figures on where or how the children eat that do not participate in the lunch program. Half of the children are participating in the schools where the program is available. In other words, the program is available in the schools that serve about three-fourths of the total school enrollments. About half of that three-fourths are currently participating in the lunch program.

We have to remember several other things. There are a number of schools that serve lunches that do not participate in the national school lunch program, in some of our very large cities you find this is true.

Chairman PUCINSKI. Why is that? Why don't they participate?

Mr. DAVIS. They have various reasons for it. In some cases they do not want to meet the requirements of the Federal program for type A meals. They serve cheaper meals by running the lunch program outside the national school lunch program. They can have a strictly ala carte or even a profitmaking proposition out of it. They can charge more.

Chairman PUCINSKI. The 18 million youngsters you gave us earlier that now participate in the lunchroom program, what does that figure represent? Is that a figure of the number of children enrolled in the schools that you are supplying, or is this actually the number of meals that are being served daily? How did you arrive at this 18 million figure?

Mr. DAVIS. This is a derived figure. It is based on peak participation, number of meals served during a peak month. Actually, there are many more than the 18 million who eat a lunch under this program at one time or another during the week or during the school year but the 18 million is a peak number of children that are participating at any given time.

Chairman PUCINSKI. It is safe to assume that half the school population participates in the cafeteria lunch program and the other half, if I understood your statement correctly, either do not eat lunch or eat some place else.

Mr. DAVIS. Many bring a bag lunch from home.

Chairman PUCINSKI. Then we have reason to believe that actually the figure of potential lunchroom customers in America is somewhere in the vicinity of 35 or 56 million, which is the population of our public school enrollment in this country, elementary and secondary.

Mr. DAVIS. These figures include both public, private and parochial schools. I believe the total figure at this time, total enrollment in schools, is somewhere around 40 or 42 million.

Chairman PUCINSKI. Public schools are around 35 or 36 million, parochial and private schools are around 7 million.

Mr. DAVIS. I would say with the full program that there would, of course, always be a number of children who go home to lunch. There might be some children who don't prefer to eat the lunch and would bring a bag lunch. In those schools who permit it there are a certain number that want to get out and get down to the corner drugstores.

There lies your educational problem which is part of this program, trying to teach them to eat nutritious meals, but I would say there is an appreciable percentage who would not participate.

Chairman PUCINSKI. In this dialog and all of the figures we are discussing, assuming we reach the point where we would make available a hot lunch program to every youngster that wanted it free, just as we now provide his materials and books, we would need a 3-plus billion dollar outlay of funds to make this program possible to all the potential youngsters in the schools who might want to participate.

Is that a fair estimate?

Mr. DAVIS. I would think so.

Mr. SCHEUER. How many of the kids eligible for free lunches from poverty families don't avail themselves of that?

Mr. DAVIS. I have no figures on that, Congressman, but I am sure that it is a fairly small percentage.

Mr. SCHEUER. We have heard that there is a sizable group of the children either entitled to free lunches or lunches at reduced prices who do not take advantage of that, but go to the corner drugstore and get a bottle of coke and potato chips because they don't want to be clouded by that stigma. If you don't have that information, I think it would be very interesting for us if you could get it for us, if you could have some kind of survey made to see the percentage of kids eligible for either the free lunch or reduced lunch that don't take advantage of it and possibly why.

Chairman PUCINSKI. I would like to concur in that. I do think that that is one of the problems you have in this hot lunch program, particularly with the youngster who comes from a poor family and getting a free lunch is the identity. I respect the efforts you have made and schools have made in overcoming this problem, but in my own study of the District schools, we went into cafeterias in the schools here and we found that in one school in particular the only youngsters who were eating in that cafeteria were the youngsters who were getting their lunch for free and a vast segment of those youngsters never showed up.

The chef made up, if I recall correctly, 320 lunches for that day because that was the number of children that she knew were entitled to a free lunch. Of the 320 entitled to the free lunch, only half showed up to get the lunch.



The other half did not show up for various reasons. The most obvious reason to me was that this youngster, even though he is poor and proud, he did not want to be singled out.

I do feel that some consideration should be given to establishing a more effective way of distributing these lunches without drawing a distinction. Perhaps one way might be to have the front office sell the tickets instead of the cashier at the counter in the cafeteria. By this method, a youngster could go to the office anytime during his free period and buy one ticket or enough tickets to take care of a whole week, so that when they come to the counter there will be no distinction as to whether they got the ticket for a free meal or in the office for cash. So, there is a separation of the actual transaction of cash.

I think this is a serious problem. I think anyone who has had experience in poverty communities will find there are many proud youngsters in those communities who do not like to be identified as being poverty stricken. I think this is a point we should look into.

I think the program would reach more youngsters, and that is the purpose of this whole program. I find no conciliation in a dietitian preparing 320 meals at a school here in Washington and then seeing half those meals go down the drain.

We are really defeating the program and defeating the good will of the American people willing to pay for these programs as long as they are effective.

Mr. DAVIS. We recognize there are several problems in the operation of the District of Columbia program for poor children. I would point out, however, that this is certainly not typical and that many, many schools are using exactly the method that the chairman just outlined of selling coupons to all of the children and those who don't pay for those coupons are not recognized. Everyone has a coupon when they go to the cashier.

The plan of feeding free meals to children in some other location, and only those children go to that location, that is not in line with the purposes of the program or the policy. We do have some problems here in the District where we had to face up to what could be done and doing what could be done right away and hoping that we could improve the situation.

Chairman PUCINSKI. Are there any further questions?

Mr. SCHEUER. I would like to ask specifically if you would be willing to make a survey of the kind I mentioned to find out the three classes of children: children paying the full 27-cent price, children paying a reduced price, and children paying nothing; determine those who avail themselves of the subsidized program at whatever level they participate and, by some kind of informal interviews, determine the categories and why those who do not participate don't participate.

Mr. DAVIS. We will be happy to explore this and develop some sort of survey or study that will give us some indication along that line.

Chairman PUCINSKI. Counsel?

Mr. FOREMAN. \$2 million was appropriated for section 11 in fiscal 1966; is that correct?

Mr. DAVIS. Yes.

Mr. FOREMAN. How much was voted to be appropriated for 1967 by the House?

Mr. DAVIS. The same amount was appropriated.



Mr. FOREMAN. How much has the other body voted to appropriate?

Mr. DAVIS. The other body passed the agriculture bill last Friday for \$4½ million.

Mr. FOREMAN. How much did you request?

Mr. DAVIS. \$6½ million, which was an increase for 1967 of \$4½ million in the present budget.

Mr. FOREMAN. There was a 4-year delay before receiving any appropriation under section 11?

Mr. DAVIS. Yes; that is correct. We asked for an appropriation each year since section 11 was passed but last year was the first year we got the Congress to appropriate any money for it.

Mr. FOREMAN. When you finally received it, it was less than requested, wasn't it?

Mr. DAVIS. Yes.

Mr. FOREMAN. How much do you plan to ask for the non-food-assistance program if the bill is adopted?

Mr. DAVIS. We contemplate asking for a total appropriation of \$42 million for the purpose of this act. Out of that it was contemplated that 12 million would be requested for nonfood assistance.

Mr. FOREMAN. The bill we are presently considering, S. 3467, is an amendment to the National School Lunch Act; is that right?

Mr. DAVIS. That is correct.

Mr. FOREMAN. Do you fully support it as an amendment to the National School Lunch Act?

Mr. DAVIS. Yes.

Mr. FOREMAN. The title of the act, as amended, will be "The National School Lunch Act," won't it?

Mr. DAVIS. Yes.

Chairman PUCINSKI. I have two quick questions. No. 1, you are going to start running into some problems, as I see it, because the Secretary has indicated that our surplus commodities are going down at a rather rapid rate. Could you give us any idea what the future relationship is between this program and your projections on surplus commodities, or is there no threat to this program?

Mr. DAVIS. To answer that fully I would have to step out of bounds, I am afraid, in trying to forecast what is going to happen to our production and marketing of farm products over a period of time. I could say this, however, that we estimate that the level of surplus commodities available to the schools for this current 1967 fiscal year will be about the same as it was last year, roughly \$125 million.

Chairman PUCINSKI. Do you anticipate that during the lifetime of this amendment you may have to adjust your figure? You told us that you were presently receiving \$202 million a year of appropriated funds and about \$125 million in value of surplus foods. Do you anticipate that during the lifetime of this act the ratio might change with the depletion of our surplus stocks?

Mr. DAVIS. I don't believe I would be prepared to answer that.

Chairman PUCINSKI. No. 2, I don't know whether you are in a position to answer this—no, I won't ask it.

Mr. Radcliffe, do you have a question?

Mr. RADCLIFFE. Yes. On the present level of support, I have heard school administrators say if you raise the price of a meal as little as 5 cents, there is substantial reduction in the number of children participating. Has that been your experience?

Mr. DAVIS. Yes, sir. The price does directly influence participation.

Mr. RADCLIFFE. One other thing on the level of support, there is nothing in the act, is there, to set any maximum on the level of State and local support of the lunch program?

Mr. DAVIS. No, sir, and some States have been notable in the amount of support they have given this program out of State and local funds.

Mr. RADCLIFFE. So the price of the child could vary from State to State?

Mr. DAVIS. That is correct.

Mr. RADCLIFFE. If, for example, New York State chose to provide free lunches for all children, they could do so under this act, couldn't they?

Mr. DAVIS. That is correct.

Mr. FOREMAN. I have an amendment before me to include the Trust Territories of the Pacific Islands in this program. I would like to submit this to you and have you reply to it technically as quickly as you can.

Mr. DAVIS. All right.

Mr. SCHEUER. If you raise the price 5 cents and then find you have a considerable dropoff in the number of kids that can supposedly pay the reduced price, then, conversely, if you decreased the price, would you have a sharp increase in kids who could afford it at the present time but do not take advantage of it?

Mr. DAVIS. Yes; that would be true.

Mr. SCHEUER. Wouldn't you say from a practical point of view you are not achieving your goal by providing a maximum price to these kids and saying that these kids, by a subjective standard of yours, can afford to pay the full 27 cents? The cold-hearted fact of the matter is that they don't want to pay the 27 cents. Where price is the determining factor you could reduce it 5 cents and there would be a vast increase and rush to take advantage of it at the reduced price. Wouldn't the conclusion be that we are not really possessed of total or divine knowledge of just what the purchasing power of these kids is so that we can set a price for a kid based on what we know of his family's background and income and say that his family can afford to buy the lunch? Wouldn't you say there is something wrong with the geometric consumption of these meals when you change the price by as little as a nickel?

Mr. DAVIS. I didn't mean to imply by any of my answers that there was a tremendous dropoff for each 5 cents in price. The price does affect participation.

Mr. SCHEUER. Participation by kids you have already adjudged able to afford that price; is that right?

Mr. DAVIS. That is right. You would have to qualify that to this extent, however, that every time you increase the price by 5 cents you could be pricing out some children who could afford the 27 cents but when it gets to be 30 to 35 cents, they can no longer afford it. You have a certain pricing out on that basis.

Mr. SCHEUER. But isn't there a corollary of that? You have set the price at 27 cents and many of the children who are not opting for it at 27 will opt for it at 22 cents; is that correct?

Mr. DAVIS. That would be correct. I might say in passing, I am sure it was a slip of the tongue. We do not set the price of the lunch.

Mr. SCHEUER. I understand.

Mr. DAVIS. We give the local school a certain level of assistance and then it is up to them to figure out what they can afford and how cheaply they can sell the meal to the school, how much the local authorities want to put into the program to pay for free meals, how much they try to charge the paying children to offset the free meals they serve.

All of this is a local financial adjustment and development and they determine what they can do.

What we do insist on, however, is that the program must be non-profit. They cannot take any money out of the school lunch account and use it for other school activities. If they show somewhat of a profit, they have only one recourse, to reduce the price of the lunch to the children or supply more free lunches to those who cannot afford to pay.

Mr. SCHEUER. But the point that emerges to me is we simply don't know enough about what motivates the parents or the kids to make or not make this expenditure.

I am assuming we know very well they have the capability to make the expenditure when we arbitrarily set a figure of 27 cents and determine that a group of several hundred kids can, by any objective standard, afford that 27 cents. The fact they don't avail themselves of it but a number would at 22 cents indicates to me that just setting an objective price-cost determinant for any economic group and to assume that that will maximize the participation of those who can afford it at that price is just something we don't know enough to do. And the existence of such a scheme really frustrates the participation of many kids who ought to be in the program but who are not.

Chairman PUCINSKI. If my colleague will yield, I am not sure I can agree with that premise. Mr. Davis has already testified that any youngster who cannot afford to participate in this program within his own resources, the program will be made available to him at reduced prices or no price.

Mr. SCHEUER. Why is it that if you reduce the price from 27 to 22 cents a great many more kids would participate?

Chairman PUCINSKI. I don't recall that this is so or that Mr. Davis so testified.

Mr. DAVIS. To a certain extent only.

Chairman PUCINSKI. I would like to have the figures. There is a certain percentage of children that will not participate in this program because of its structure. We have said that in the Washington schools they should make the cafeteria a more interesting and exciting place. After all, millions of American businessmen, secretaries, and Congressmen find the lunch hour one of the most stimulating periods of the day when they go out with their colleagues. Over the lunch table they contract business, exchange ideas, and many other things.

It seems to me that we should not only try to manipulate the cost of the meal but make the whole atmosphere and experience of lunch an adult, interesting, exciting, and informative experience. When you do that, I would like to see a jukebox in lunchroom cafeterias. I would like to see a portion of the floor used for dancing. If the



children want to dance during the lunch hour, that is all right with me.

If the service is provided to participate in the balanced meal by the Federal, State, and local governments, and the people are willing to pay for it, then to insure participation by the youngsters, we should be willing to make the lunch hour a more exciting and interesting period.

I think if they would concentrate in that direction, the 27- or 22-cent level would really not be the reason for bringing them back.

Mr. SCHEUER. I agree with everything you said and I believe an improved lunchroom decor and perhaps piped music would be good for everybody. But I feel the price situation as we have it now is an impediment.

Chairman PUCINSKI. Mr. Bell, do you have any questions?

Mr. BELL. I note in section 15 of the bill that you speak of some other additional investments for the Federal Government,\* supplementary funds. I am wondering if you would interpret that. Could they build, for example, a cafeteria for the children?

Mr. DAVIS. We can provide equipment for the preparation, storage, transportation, and serving of food but this does not provide for any building of a lunchroom.

Mr. BELL. It states that but I am trying to look for it here. It infers that it might be for some kind of accommodations.

Mr. DAVIS. I believe you will find that on page 7, line 1.

Mr. BELL. Facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

I know it does say, buildings, other than land and buildings, then it goes on to say expand school food service programs, establish and maintain, transportation and service. What would that include?

Mr. DAVIS. I think an example might be that if a school made a room available, several rooms available in that building, for a lunchroom that these funds could be used to equip it, for the stoves, the serving trays, for the necessary equipment to serve the lunch.

It could not be used for an addition to the school lunchroom.

Mr. BELL. Building a kitchen?

Mr. DAVIS. Not the room for but equipping it.

Chairman PUCINSKI. It says for the storage and preparation. I don't see any objection to using this money for putting in stoves and refrigerators.

Mr. ANDREWS. That is all right. We are talking of the partitions and walls themselves.

Mr. BELL. It says building, I was thinking of the possibility of expanding a building, enlarging a room or something of this kind. Perhaps you could add on a room for a lunch area.

Mr. DAVIS. The specific regulations, of course, have not been drawn for this but I would contemplate that it it required remodeling of the building to the extent of tearing out walls or putting a lean-to on the end and knocking out a door, and so on, that this money would not be used for that.

Taking a room that had been a gynasium and making it into an all-purpose room by putting in pulldown tables, then equipping a kitchen, the stoves, and so on, to equip the kitchen this money could be used for that purpose.

Mr. BELL. In other words, supply schools drawing attendance from needy areas with equipment and supplies other than land and buildings.

Mr. DAVIS. If they have the buildings, they can put a ventilator into it and if it required racks, dunnage, shelves, this sort of thing would be fundable with these moneys.

Mr. BELL. You don't feel any interpretation of this would mean the rooms could be expanded?

Mr. DAVIS. At this point I would say no. I am sure the Congressman is aware there comes a point in a question such as this that is drawn pretty fine between what is building and what is equipment.

Mr. BELL. The only reason I am pursing this interpretation is that once that Pandora's box is opened, there is no place you could go but to pursue further. If a one-room schoolhouse in Tennessee is really not adequate, would you have to serve the meals outside? You couldn't make the building larger and equip it, if you have a classroom with desks and textbooks all around but no facilities?

Chairman PUCINSKI. Could you possibly conclude that if it were an addition to existing buildings in order to store and prepare the food, it would come within the meaning of this act, but if it were a separate and distinct building requiring its own heating plant and roof, all the separate things, this would be barred under the language of this act; would it not?

Mr. DAVIS. It could be drawn perhaps a little tighter than that, Mr. Chairman. If this were a leanto addition, I think we would have to hold that the language in the bill was intended to exclude building.

Mr. SCHEUER. A structural addition, you mean?

Mr. DAVIS. That is right.

Mr. SCHEUER. Would you like it changed to permit a structural addition with some limitations, possibly \$1,000 or \$2,000 to care for a small schoolhouse with no room at all to provide this service?

Mr. DAVIS. No, sir; I think we would prefer to stick to the equipment on the theory there would be some local contribution to this effort and there are many, many things that you get into when you get over into structural additions.

Mr. FOREMAN. Isn't there adequate Federal assistance to assist schools in building facilities?

Mr. DAVIS. I am not conversant enough with Federal assistance on that point. It is my understanding that under the new Elementary and Secondary Act that this question was discussed in some depth and those funds are not available for construction either.

Chairman PUCINSKI. Thank you very much, Mr. Davis. We are very grateful to you for your testimony. We apologize for letting you know so late.

Thank you, very much.

Mr. SCHEUER. I would like to add my thanks for your most informative and gracious testimony.

Mr. BELL. I would like to add my thanks and apologize for not being here earlier.

Chairman PUCINSKI. Before hearing from our next witness, I would like to say that we have with us today Dr. Eunice S. Matthew, education chief of the House Committee on Education and Labor. She has been most helpful to all of us. Dr. Matthew, if there are any



questions you would like to ask on this legislation, we would like for you to do so.

Our next witness is Mrs. Mary Condon Gereau, legislative consultant to the National Education Association.

**STATEMENT OF MRS. MARY CONDON GEREAU, LEGISLATIVE CONSULTANT TO THE NATIONAL EDUCATION ASSOCIATION**

Chairman PUCINSKI. Do you want to read your testimony or shall we enter it in the record in its entirety?

Mrs. GEREAU. That would be satisfactory. The statement in effect says we think the bill is fine and we are in support of it as it passed the Senate and we are supporting the position that Mr. Davis took.

I would have liked to have had the opportunity to say before Mr. Davis left that I have been a chief State school officer in the State of Montana working with the U.S. Department of Agriculture and I know of no group that played a more effective role in creating and supporting a sound State-Federal relationship.

Chairman PUCINSKI. Your statement will then go in the record in its entirety at this point.

(The statement follows:)

**STATEMENT OF MRS. MARY CONDON GEREAU, LEGISLATIVE CONSULTANT, THE NATIONAL EDUCATION ASSOCIATION**

My name is Mrs. Mary Condon Gereau, Legislative Consultant to the National Education Association.

Thank you, Mr. Chairman, for the opportunity to present the views of the National Education Association in support of S. 3467, the amendments to the National School Lunch Act.

The National Education Association, with a membership of nearly one million professional educators, of whom 90 percent are classroom teachers, has been a major supporter of the school lunch and school milk programs since their inception. Our support has been amply justified not only because of the humaneness of these programs, but also because teachers know, perhaps better than anyone else, that a well-fed child learns far better than a chronically hungry undernourished youngster. Malnutrition is not confined only to those in poverty. Many youngsters learn good eating habits in a school lunch program—habits their parents, regardless of affluence, have been unable or incapable of instilling at home. It has truly been said that the National School Lunch Program has changed the eating habits of a generation.

The School Milk Program has also been of great value and has, in fact, reached more children than the older school lunch program. The facilities and personnel for the school milk program are much more easily provided than the more expensive facilities and larger number of employees which a school lunch program requires.

We were disturbed, as obviously was the Congress, at the recommendation that the school milk program be drastically curtailed and that both the school lunch and school milk programs be redirected into programs primarily for needy children. Certainly we are heartily in favor of providing all needy children with lunches and milk—but not at the expense of the other children in the schools.

We believe that S. 3467 is a good bill certainly far superior to the bill originally introduced. S. 3467 provides that the present school lunch and school milk programs be continued without change. The authorizations for the school milk program through 1970, with appropriate but modest increases each year, will take care of the normal annual increases in enrollment.

The provision for pilot programs for school breakfasts for a two-year period will provide a basis for evaluation of the effects of such programs, the feasibility of continuing and expanding the program in the eligible schools. We have one technical suggestion relating to Section 14 (c)(2) on page 14. The language here is obviously identical to that of Title I of P.L. 89-10, the Elementary and



Secondary Education Act of 1965. In the event that the figure \$2000 in the allocation formula for Title I of P.L. 89-10 is changed to \$3000, the school breakfast program should be so adjusted also.

Otherwise school systems will be faced with unnecessary pupil accounting procedures and record keeping. Perhaps the language of S. 3467 at this point could be changed merely to refer to districts eligible under Title I of P.L. 89-10.

We also believe that Section 15 which will help certain school districts, through federal assistance, to acquire the necessary storage, preparation, transportation, and serving facilities to enable them to operate school lunch programs, is a very commendable addition to the basic school lunch program. Many of the most needy schools, with large numbers of children from poor families, are not now able to take advantage of the school lunch program because they do not have the basic facilities required—nor the financial resources to provide such facilities from local tax sources. Section 15, therefore, is a most desirable feature of this bill.

Sections 16 through 22 are in the nature of technical amendments relating to orderly administration of Sections 14 and 15 in line with sound and proven measures developed through the years of existence of the traditional school lunch program.

Section 23, providing for extending the benefits of the school lunch program to preschools operated as part of the school system, is a desirable new feature of the school lunch act. Section 24 is designed to coordinate all federal programs of assistance to schools in providing food service to children through the Department of Agriculture. This certainly will lead to more efficiency in administration and will be welcomed enthusiastically by local and state school administrators. Section 25—as well as Section 13, line 21-25—will guarantee that the addition of new programs will not result in impairing the well established school lunch and school milk programs. The inclusion of this language is perhaps a wise precaution, though it should not be interpreted as lack of confidence in the very able and dedicated Secretary of Agriculture, Mr. Freeman. However, it does clearly state the intent of Congress that the basic school lunch and school milk programs not be curtailed or redirected.

We appreciate the opportunity, Mr. Chairman, to make these few brief comments on S. 3467 and welcome this opportunity to thank you, sir, and the other members of the Subcommittee for the fine service you have performed and are performing for the children and youth of this Nation during the 89th Congress.

Chairman PUCINSKI. What can be done to stimulate a greater interest by the youngsters in the lunchroom program? I know in many parts of the country it is very successful. In my own district I am very much impressed with the lunchroom program, particularly in the high schools, but I was surprised to see some of the problems here in the District.

Has the National Education Association made any effort to provide some type of leadership in trying to make the school lunch program a part of the full day curriculum, or to make the lunch period more exciting and more interesting to the youngsters?

Mrs. GEREAU. Certainly the members of the teaching profession would concur that the lunch experience should be more interesting than it is in, for example, the Shaw School in the District of Columbia. I would say from my observations not only in Montana but other States that the school lunchrooms are successful to some degree in proportion to the attractiveness of the setting, the attractiveness of the way the meals are served, and frankly, we have found—and I can speak largely from my experience—that many of those who tend to eat at other facilities are the older high school students.

The smaller ones do participate in the program, but when they get to be 16 or 17 years of age with more privileges, the schools try to teach them to be a little more like responsible adults and they are allowed the privilege of leaving the school grounds.

It is natural human nature for the teenager to prefer to go to the drugstore and play the jukebox than to go to the school lunchroom.

Chairman PUCINSKI. In one of the schools in Chicago, in one of our poorer neighborhoods, the school tried putting on a program to make the lunchroom an inspiring experience with tablecloths and silverware properly placed. They create an atmosphere in that cafeteria, an adult atmosphere, and the most important thing that happened there was all of a sudden these youngsters were treated as adults and they liked it.

The response was tremendous throughout the school.

Mrs. GEREAU. This is the thing that ideally should be going on but too often in those areas where the older buildings are monuments to something that happened in 1850 maybe, the whole school building is unattractive, not just the lunchroom, and the youngsters tend to try to get out of there anytime they can.

Frankly, so do the teachers because it is not an inspiring place. In the suburbs where the buildings are new and have more attractive facilities, you don't find this problem as much as in the cities. I don't think it is just related to the school lunch program. It goes far beyond that phase to what kind of school facilities you have in these areas.

Mr. DANIELS. I want to compliment Mrs. Gereau for coming here and giving us the benefit of her views on this legislation.

I have been reading your statement and agree with the views you present.

Mrs. GEREAU. I find, Mr. Daniels, you and I are seldom in disagreement on anything.

Chairman PUCINSKI. Mr. Andrews?

Mr. ANDREWS. In your last paragraph on the first page you hope if we extend the benefits of this program, presumably there is this guideline of \$2,000 in the requirements of the original act, if we extend the basic qualifying level from \$2,000 to \$3,000 you hope we will make this change over here on page 4. Just as an observation on this whole program, we are getting into the area where we have politically raised the standard of living to everybody to come up from \$2,000 or \$3,000 in the minimum wage and are going to change poverty from \$2,000 to \$3,000 in the Elementary and Secondary Education Act and in this act.

At the same time there is emerging in the National Government, or in certain circles there has been mentioned, we are getting literature constantly on it, and it has been suggested the reverse income tax of \$3,000 a year for everybody be guaranteed. It is no longer, I think, on the drawing board. It is actually out in the political arena.

Mr. SCHEUER. Will my colleague yield on that for a moment?

Mr. ANDREWS. Just a minute until we get it.

When we finally arrive at that \$3,000 reverse income tax and everybody pays that, what will it do to all these programs of enormous benefits being given to these people on the basis of their father's income being lower than \$3,000? Would you recommend the programs be abandoned after this reverse income tax or that they go on and on and we keep raising what we call poverty up and up and up to to where every man is king, so to speak?

Mrs. GEREAU. I agree, I hope with you, Mr. Andrews, that we would like to have it so everyone is a king, economically and politically. My only point here is to the fact there has been some evidence in hearings on the Elementary and Secondary Education Act that they are going to change the formula. The same discussions are going on in the Senate. If the formula in this bill is what they took out of



Public Law 89-10 to identify the eligible school districts I would suggest that the language conform so the administrator in the local school district is not making two accountings—one for \$2,000 families and the other for \$3,000 families. It's a lot of paperwork.

Mr. ANDREWS. Won't your suggestion in this act require an enormous addition of funds?

Mrs. GEREAU. No, sir; it is merely a factor in the formula; it would in some instances identify different districts than are being identified now. We are only saying whatever the language is in Public Law 89-10 in the Elementary Education Act this should be the same.

Mr. ANDREWS. A change in the language of the act; this amounts to an enormous sum of money.

Chairman PUCINSKI. Will you yield?

Mr. ANDREWS. Yes.

Chairman PUCINSKI. What Mrs. Gereau is saying, is if you have a million dollars to be distributed on the basis of \$2,000 when the Elementary Education Act goes to \$3,000 you still stay with the million dollars, but you redistribute on the basis of \$3,000 instead of \$2,000.

She is not—and the Secondary Elementary Act does not—propose a change in initial outlay of funds. What it does propose is a different formula for distributing them.

Mr. ANDREWS. I asked purely for information and thank you. Redistribution of the money territorially?

Mrs. GEREAU. That is correct.

Chairman PUCINSKI. Will you yield further? He has raised an excellent point. I thank you for raising this point. Rather than trying to deal with any problem in this act when we don't know what the Elementary Secondary Act will do, should we write in language that if, and when, Public Law 89-10 does go to \$3,000 this will trigger in with the same formula? If it doesn't go to \$3,000 and stays at \$2,000, this will stay at \$2,000.

Mrs. GEREAU. This is what I was suggesting, that you consider amending the Senate bill which they would probably concur with, with no objection, so that instead of repeating the present language you say that those school districts that fall under Public Law 89-10, title I are eligible for this section.

Use the Public Law 89-10 title I formula, whatever Congress decides it should be, as the same formula for this program. I am worried about school administrators counting children under two formulas.

Mr. ANDREWS. I am worried since you explained there is no basic change in the full amount of money allotted that you are not aware what we are doing. If we accept the Elementary and Secondary Act and we accept the last suggestion on your second page, we are cutting out money.

Chairman PUCINSKI. No, you are leaving them with what you are bringing in on top of this \$2,000, the \$3,000.

Mr. ANDREWS. With a limited amount of money you cannot tell me you are not extending yourself further and thinner?

Chairman PUCINSKI. We will go along with that.

Mr. ANDREWS. That means less food.

Chairman PUCINSKI. No, not less food.



Mrs. GEREAU. This particular provision related merely to the pilot project for school breakfast because it is going to be somewhat evaluated anyway. This will only help the State Department officials administering this to identify those eligible for breakfast programs.

This will not insure breakfast programs in every project eligible for title I. Perhaps it will ultimately but the first proposal is to have this as a 2-year program under the State Departments of Education to see if it does appreciably benefit the children in proportion to the cost entailed.

Mr. ANDREWS. You jumped a third of income from \$2,000 to \$3,000. To reallocate the same amount of money over the district because they have a multitude of \$3,000 and under and \$2,000 under, you are really taking away from the \$2,000 and under; you are taking away their food.

Mrs. GEREAU. All I am saying is this will be decided by the House Education and Labor Committee when they, hopefully soon, move the Elementary and Secondary Education Act on to the floor.

Mr. ANDREWS. Really the change from \$2,000 to \$3,000 if you examine the thing down to what you are doing you are really taking away from the \$2,000, the people that need it most. You are taking away if the sum of money remains the same.

Mr. SCHEUER. Isn't that a sectional battle that we don't have to ask our witness to become embroiled in?

Mrs. GEREAU. It is not pertinent here. I would love to come into the other committee and become embroiled but it is not pertinent here.

Mr. FOREMAN. When is the Elementary and Secondary Education figure going to be raised to change from \$2,000 to \$3,000?

Mrs. GEREAU. I don't know. The House Education and Labor Committee has not moved the bill out. They are still discussing this.

Mr. FORMAN. Is it to be delayed until 1968?

Mrs. GEREAU. I believe in the House subcommittee version the change from \$2,000 to \$3,000 is scheduled for 1968. I think it is an open secret the Senate is anticipating they are going to try to do it this year. This is not a settled question. I am only saying try to make the language the same in both bills for administrative purposes.

Mr. SCHEUER. I would like to ask you the same question I asked the Government witness. The summer lunch program was in the administration act and the Child Nutrition Act and the bill introduced earlier. Would you advocate an addition to this program that would provide for a pilot summer lunch program for public as well as private agencies?

Mrs. GEREAU. As you know we supported H.R. 9339 and commend you again for farsightedness in recommending it, and this committee for approving it. I think it is a matter of strategy the Congress will have to decide. There is a certain amount of urgency in order to assure the schools they are going to continue the school lunch and school milk programs at the same level.

As we all know there has been considerable disturbance related to the school lunch and milk programs which are being amended to a better form. If it would result in delay from October to November, if you engage in whatever the machinery is to add H.R. 9339 to it, I think we would say we rather you did not do it.

We will continue to give your proposal all the support we can and perhaps it would be wiser and more helpful to the schools if at this time this school lunch program continued on its own way.

Mr. SCHEUER. You think that is a useful addition to the overall program?

Mrs. GEREAU. We testified it should be in addition to the School Lunch Act. We have not changed our minds.

Mr. BELL. We appreciate your coming before the committee, and your testimony very much.

What in your feeling has been the trouble with the present school lunch program? Could you give us some points that perhaps are not in your statement?

Mrs. GEREAU. I can only speak personally. I have not discussed this with all the policy people at NEA but as a former State Superintendent in Montana the problem always there was that there was not enough money.

Mr. BELL. Where did you see the adverse effect? What particular areas, what particular locale, where was the impact the greatest?

Mrs. GEREAU. One of the largest communities in our State, I would assume this is fairly typical.

Mr. BELL. Larger cities?

Mrs. GEREAU. The cities are not very big in Montana. They did not participate in the lunch program at the high school level also because they didn't want to follow the USDA nutrition requirements by the dietitians and so forth.

There is a philosophical attitude in the community that resented a Federal program of any kind.

Mr. BELL. The particular schools or school boards would not allow the lunch program because of fear of Federal involvement?

Mrs. GEREAU. There is a certain amount of that in the country in some communities in every State. It is decreasing, I think.

Mr. BELL. The Federal lunch program through the Agriculture Department is giving lunches, so there is some Federal control.

Mrs. GEREAU. Some people feel that way, and some areas philosophically just do not deal with things like that.

Mr. BELL. Were there children that suffered?

Mrs. GEREAU. Yes, I can think of some that did in a community I would rather not name just because of the philosophy of the school board; they didn't want to get involved. The school board came from the upper- and middle-class level. I think they had an awakening in the last few years under the Elementary Secondary Education Act. They found a lot of people there that I don't think they considered to be people—Mexicans, Negroes, Indians, and so forth. They have now discovered them.

Mr. BELL. Because of their philosophy in excluding the lunch program they have allowed some of these Indians, Mexicans, and so forth to go hungry?

Mrs. GEREAU. I think they did. I don't think they were aware of it.

Mr. BELL. Do you think that is no longer a problem?

Mrs. GEREAU. I think it is decreasing rapidly.

Chairman PUCINSKI. Title VI would involve that kind of discrimination. It was not really discrimination. There was no type of lunch program for anyone.



Mr. SCHEUER. They can still do that under title VI.

Mrs. GEREAU. Right; I assume we all agree this is an unfortunate situation. But local control is important. If they don't want to have a lunch program they don't have to.

Mr. DANIELS. Could it be because the school board was unaware of the economic situation of the families in the community?

Mrs. GEREAU. I think this has been true in many places—not any malice or intention, but just the shortsightedness.

Mr. SCHEUER. The school board is not doing a satisfactory job if it is not aware of the economic situation of these people.

Mr. BELL. The people of the school district should know about this and throw the school board out.

Mrs. GEREAU. This has happened.

Mr. BELL. Have you seen any areas besides the school lunch program where the school board wanted help and has not been able to get it?

Mrs. GEREAU. I am sure the program varies from State to State and the philosophy of the State department will have something to do with this. I know of no State where they are not conducting some kind of lunch program, but it would be interesting to look at some of the areas of participation.

In sparsely settled rural areas you cannot take children 60 miles on a bus in zero weather every day so you have to have a school where the children are. We put on a drive 10 years ago to try to bring the school program to youngsters in such areas in Montana with a good deal of success. When we got money under Public Law 815 and Public Law 874 for Indians, and when the local schools developed good lunch programs, the increased enrollment and decrease in drop-outs was quite important because many of those youngsters got only one good meal a day. That was at the school lunch program.

One very severe winter we ran the school lunch program 7 days a week. We used some Johnson-O'Malley and Indian funds. Otherwise the children had only five meals a week and came in on Monday almost faint from hunger. I think this goes along with your philosophy, Mr. Scheuer, that hunger doesn't start in the fall and end in the summer nor end at the week's end.

Mr. BELL. I am trying to discover whether there are schools or areas where the philosophy is to not get involved and they don't have any program at all?

Mrs. GEREAU. I have been speaking only of Montana and I am not familiar with details. I am sure the Department of Agriculture could give you some information that would be useful.

Mr. BELL. That is all I have. Thank you.

Mr. SCHEUER. One very brief question I have is—we don't want to impose on your time further—do you have any knowledge of the degree to which children who are entitled to free or reduced lunches do not take advantage of that program and what the reason might be?

Mrs. GEREAU. I have no information on that. I apologize for going back to my own experience but we had no problem that way because the ordinary system was to follow that outlined by Mr. Pucinski where the youngsters went to the office and the school clerk knew who automatically got free lunches. Sometimes the youngsters didn't know that all children didn't get free lunches.



There was no stigma attached. Often in large families where the father was employed at a low income, maybe with six or seven children, they paid for two or three lunch tickets and they got six. Youngsters didn't know the difference.

I think your experience with the District of Columbia is not typical. It has emphasized this in your mind but it is not typical throughout the country.

Mr. SCHEUER. I think it is more typical in large areas.

Mrs. GEREAU. This I wouldn't know.

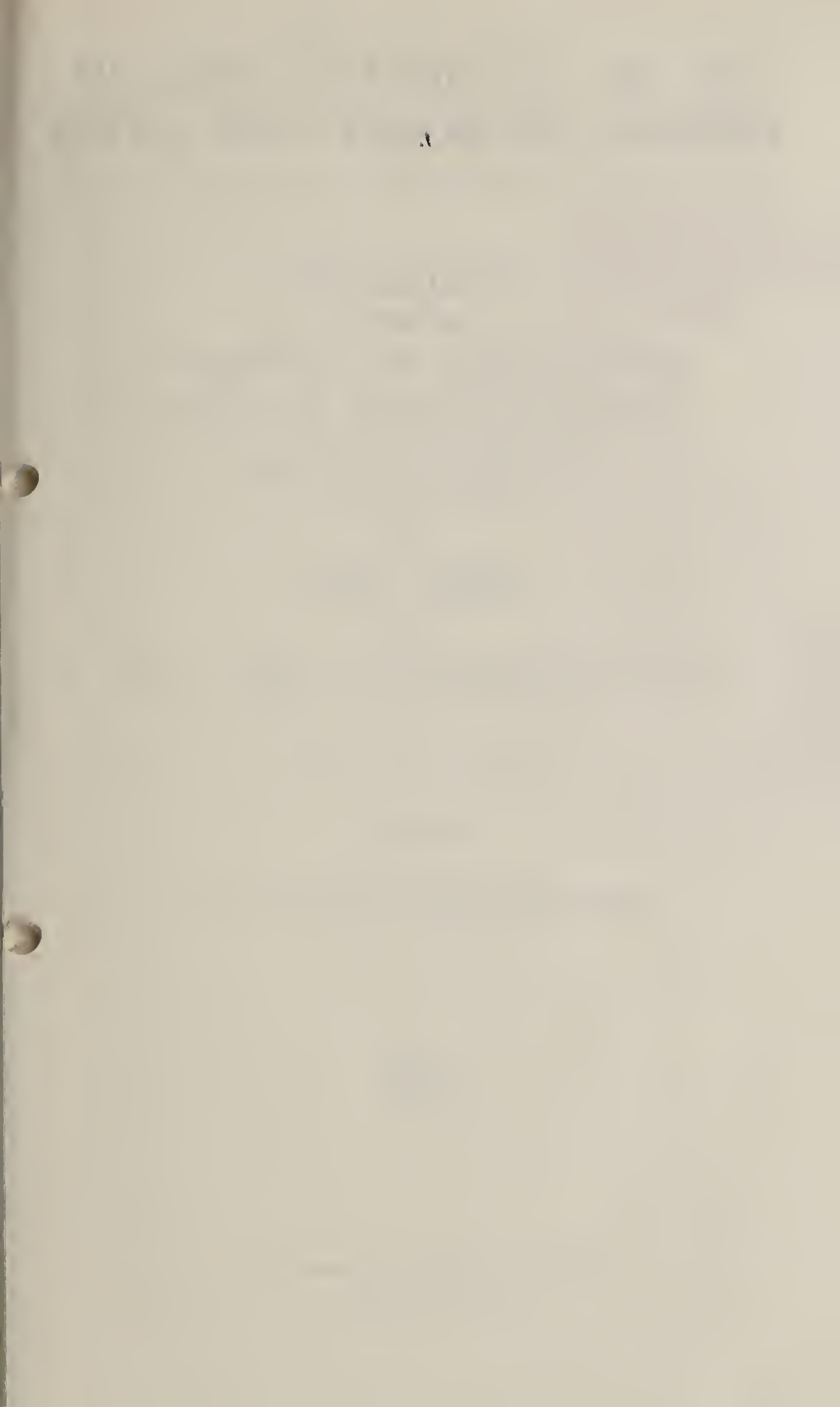
Mr. SCHEUER. Thank you.

Chairman PUCINSKI. Thank you, Mrs. Gereau.

The committee will stand adjourned and start marking up S. 3467. The members will be advised as to when we can meet.

(Whereupon, at 12:05 p.m. the select subcommittee was adjourned to reconvene at the call of the chair.)









# THE CHILD NUTRITION ACT AND THE SPECIAL MILK PROGRAM FOR CHILDREN

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## HEARINGS BEFORE THE COMMITTEE ON AGRICULTURE HOUSE OF REPRESENTATIVES

EIGHTY-NINTH CONGRESS

SECOND SESSION

ON

### H.R. 13361

AND

BILLS TO AMEND AND MAKE PERMANENT THE SPECIAL  
MILK PROGRAM FOR CHILDREN

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JUNE 23 AND 24, 1966

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Serial JJ

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Printed for the use of the Committee on Agriculture



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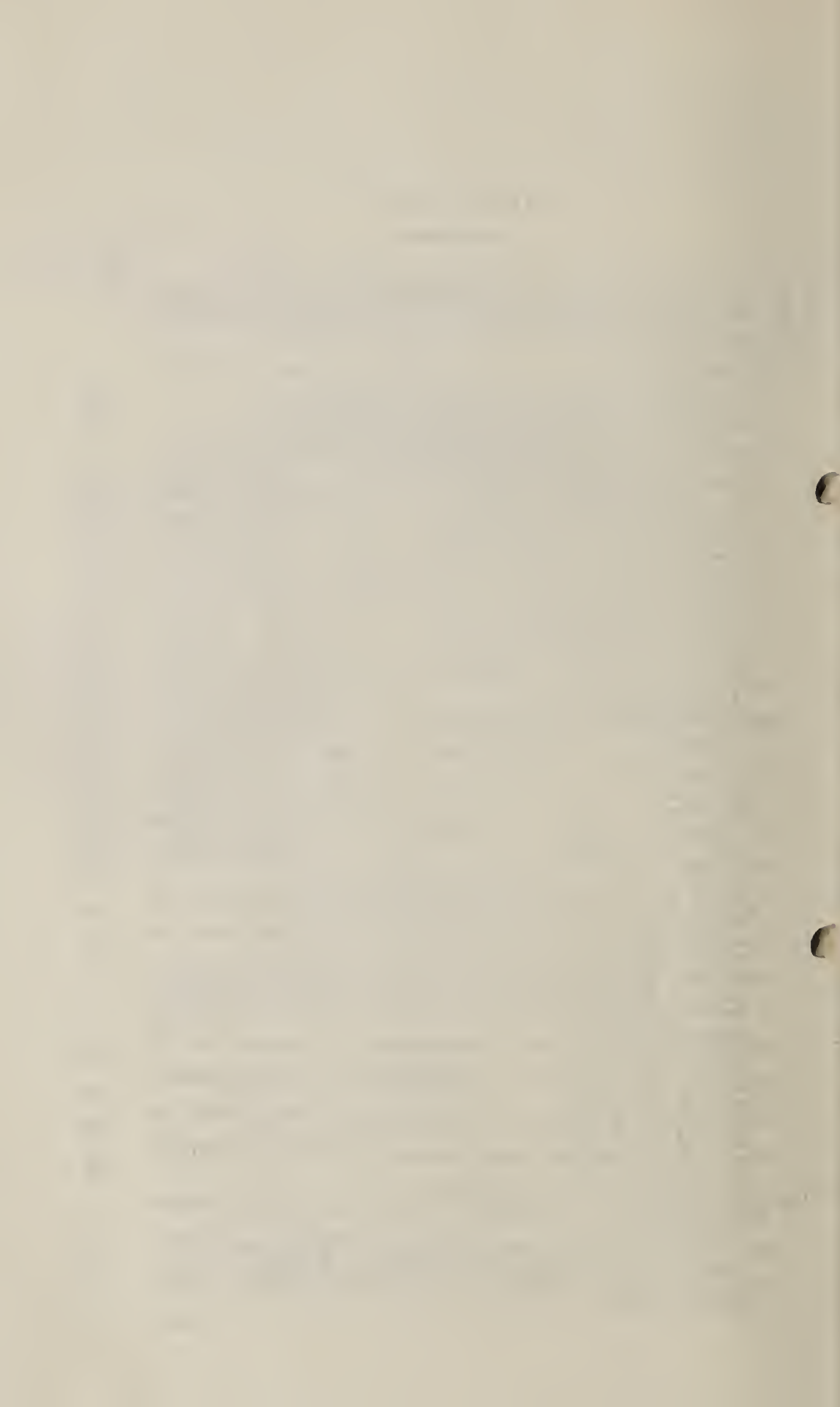
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# CONTENTS

	Page
H.R. 12805, a bill to provide a special milk program for children.....	11
H.R. 12907, a bill to provide a permanent special milk program for children.....	11
H.R. 13361, a bill to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture.....	1
Statement of:	
Bennett, Hon. Charles E., a Representative in Congress from the State of Florida.....	55
Dechant, Tony T., president, National Farmers Union.....	44
Freeman, Hon. Orville L., Secretary of Agriculture.....	12
Graham, Harry L., legislative representative, National Grange.....	39
Gunderson, Gordon W., chairman, legislative committee, American School Food Service Association.....	39
Healy, Patrick, assistant secretary, National Milk Producers Association.....	48
Horton, Hon. Frank, a Representative in Congress from the State of New York.....	56
Kastenmeier, Hon. Robert W., a Representative in Congress from the State of Wisconsin.....	57
Kornegay, Hon. Horace R., a Representative in Congress from the State of North Carolina.....	47
Laird, Hon. Melvin R., a Representative in Congress from the State of Wisconsin.....	31
McEwen, Hon. Robert C., a Representative in Congress from the State of New York.....	45
Mink, Hon. Patsy T., a Representative in Congress from the State of Hawaii.....	43
Nelsen, Hon. Ancher, a Representative in Congress from the State of Minnesota.....	57
Ronealio, Hon. Teno, a Representative in Congress from the State of Wyoming.....	38
St. Onge, Hon. William L., a Representative in Congress from the State of Connecticut.....	37
Sisk, Hon. B. F., a Representative in Congress from the State of California.....	28
Springer, Hon. William L., a Representative in Congress from the State of Illinois.....	58
Stalbaum, Hon. Lynn E., a Representative in Congress from the State of Wisconsin.....	26
Stalbaum, Hon. Lynn E., a Representative in Congress from the State of Wisconsin, before the Senate Agriculture Committee's Subcommittee on Agricultural Production, Marketing and Stabilization of Prices.....	27
Stratton, Hon. Samuel S., a Representative in Congress from the State of New York.....	53
Thomson, Hon. Vernon W., a Representative in Congress from the State of Wisconsin.....	42
Widnall, Hon. William B., a Representative in Congress from the State of New Jersey.....	59
York, John C., general manager, Eastern Milk Producers Cooperative Association, Inc.....	60
Correspondence submitted to the committee:	
Ashby, Rodney A., administrator, School Food Services, letter of May 31, 1966.....	41
McDonald, Mrs. Grace, executive secretary, California Farmer-Consumer Information Committee, letter of June 22, 1966.....	29
Paul, Chas., director, California Department of Agriculture, letter of June 24, 1966.....	61





# CHILD NUTRITION ACT AND SPECIAL MILK PROGRAM FOR CHILDREN

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THURSDAY, JUNE 23, 1966

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, D.C.

The committee met, pursuant to notice, at 11:30 a.m., in room 1301, Longworth House Office Building, Washington, D.C., the Honorable Harold D. Cooley (chairman) presiding.

Present: Representatives Cooley, Poage, Gathings, Abernethy, Abbitt, Hagen of California, Stubblefield, Purcell, Olson, Matsunaga, O'Neal, Foley, Stalbaum, de la Garza, Vigorito, Redlin, Greigg, Callan, Dague, Belcher, Teague of California, Quie, Mrs. May, Findley, Dole, and Hansen of Idaho

Also present: Christine S. Gallagher, clerk; John J. Heimburger, general counsel; Hyde H. Murray, assistant clerk; Martha Hannah, staff; Francis LeMay, consultant; and Fowler C. West, staff.

The CHAIRMAN. The committee will be in order, please.

Let's be off the record for a moment.

(Discussion was had outside the record.)

The CHAIRMAN. We have before us this morning H.R. 13361, and bills extending or making permanent the special milk program for children. These will be made a part of the record at this point.

(H.R. 13361, introduced by Mr. Cooley, follows:)

[H.R. 13361, 89th Cong., 2d sess.]

A BILL To establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Child Nutrition Act of 1966".*

## DECLARATION OF PURPOSE

SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened as a measure to safeguard the health and well being of the Nation's children, with special effort directed toward improving the nutrition of children from low-income families, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

## TITLE I—NATIONAL SCHOOL LUNCH AND CHILD NUTRITION PROGRAM

## AUTHORIZATION

SEC. 101. The Secretary shall formulate and carry out a national school lunch and child nutrition program to assist States, through grants-in-aid and other means, to establish, maintain, and expand nonprofit school food service programs for children.

## APPORTIONMENTS TO STATES

SEC. 102. (a) The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the funds appropriated for the purposes of this title, excluding section 107, for such year for obtaining agricultural and other foods. Apportionment among the States shall be made on the basis of two factors: (1) the participation rate for the State, and (2) the assistance need rate for the State. The amount of apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indexes for all the States; and third, apply the figure thus obtained to the total funds to be apportioned. If any State cannot utilize all funds so apportioned to it, or if additional funds are made available for apportionment under this section among the States, the Secretary shall make further apportionments to the remaining States in the same manner. Notwithstanding the foregoing provisions of this section, for the fiscal year beginning July 1, 1966, the amount apportioned to American Samoa shall be \$25,000, which amount shall be first deducted from the funds available for apportionment in determining the amounts to be apportioned to the other States.

(b) Funds apportioned to any State under section 102 for any fiscal year shall be available for payment to such State for disbursement by the State educational agency, for the purpose of assisting schools in that State in obtaining agricultural and other foods for consumption by children during such fiscal year. Payments to any State of funds so apportioned in any fiscal year shall be made upon condition that each dollar will be matched by three dollars from sources within the State determined by the Secretary to have been expended in connection with the program under this title. In the case of any State whose per capita income is less than the per capita income of the United States, the matching required for any fiscal year shall be decreased by the percentage which the State per capita income is below the per capita income of the United States. For the purpose of determining whether the matching requirements of this section and section 106, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the State educational agency and, in case of schools receiving funds pursuant to section 106, by such schools (but not the cost or value of land, or of the acquisition, construction, or alteration of buildings or of commodities donated by the Secretary, or of Federal contributions), may be regarded as funds from sources within the State expended in connection with the program under this title.

## DIRECT FEDERAL EXPENDITURES

SEC. 103. The funds appropriated for any fiscal year for carrying out the provisions of this title, excluding section 107, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses under this Act, less the amount apportioned by him pursuant to sections 102 and 106, shall be available to the Secretary during such year for direct expenditure by him for agricultural and other foods to be distributed among the States and schools participating in the program under this title in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall to the extent not inconsistent with the provisions of this title, also be applicable to expenditures of funds by the Secretary under this title.

## STATE DISBURSEMENT TO SCHOOLS

SEC. 104. Funds apportioned under section 102 and paid to any State shall be disbursed by the State educational agency to those schools in the State which the State educational agency, taking into account need and attendance, determines



are eligible to participate in the program under this title. Disbursement to any school shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural and other foods for consumption by children in the program. Such food costs may include, in addition to the purchase price of agricultural and other foods, the cost of processing, distributing, transporting, storing, and handling. In no event shall such disbursement for food to any school for any fiscal year exceed an amount determined by multiplying the number of lunches served in the school in the program under this title during such year by the maximum Federal food-cost-distribution rate for the State, for the type of lunch served, as prescribed by the Secretary for schools other than those receiving special assistance under section 107.

#### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 105. Lunches served by schools participating in the program under this title shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### NONPROFIT PRIVATE SCHOOLS

SEC. 106. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 102 of this title an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary pursuant to section 105, served in the preceding fiscal year by all nonprofit private schools participating in the program under this title within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under section 102 of this title, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 102(b) of this title for such State, by funds from sources within the State expended by nonprofit private schools within the State participating in the program under this title. Such funds shall not be considered a part of the funds constituting the matching funds under section 102(b) of this title.

#### SPECIAL ASSISTANCE

SEC. 107. (a) The Secretary shall, with funds appropriated for special assistance under this section, provide such assistance to schools drawing attendance from areas in which poor economic conditions exist, for the purpose of helping such schools meet the requirements of section 105 of this title with respect to the service of lunches to children unable to pay the full cost of such lunches.

(b) Of the sums available for the purposes of this section for any fiscal year, 3 per centum shall be available for apportionment to Puerto Rico, the Virgin Islands, Guam, and American Samoa. Of the funds available for such States, the Secretary shall apportion to each such State an amount which bears the same ratio to the total of such funds as the number of free or reduced-price lunches served in accordance with section 105 of this title in such State in the preceding fiscal year bears to the total number of such free or reduced-price lunches served in all such States in the preceding fiscal year: *Provided*, That for the fiscal year ending June 30, 1967, \$5,000 shall be apportioned to American Samoa, which amount shall be first deducted from the total amount available for apportionment under this subsection. If any such State cannot utilize all of the funds apportioned to it for the purpose of this section the Secretary shall make further apportionment, on the same basis as the initial apportionment, to any of the other such States which justify the need for additional funds for such purpose.

(c) Of the remaining sums appropriated for the purposes of this section for any fiscal year, not less than 50 per centum shall be apportioned among States, other than Puerto Rico, the Virgin Islands, Guam, and American Samoa, on the

basis of the following factors for each State: (1) the number of free or reduced-price lunches served in accordance with section 105 of this title in the preceding fiscal year, and (2) the assistance need rate. These factors shall be applied in the following manner: First, determine an index for each State by multiplying factors (1) and (2); second, divide this index by the sum of the indexes for all such States; and, third, apply the figure thus obtained to the total funds to be apportioned. If any such State cannot utilize all of the funds apportioned to it for the purpose of this section the Secretary shall make further apportionment of such funds together with the remainder of the funds available under this subsection, on the same basis as the initial apportionment, to any of the other such States which justify the need for additional funds for such purpose.

(d) Funds apportioned and paid to any State for the purpose of this section shall be disbursed to selected schools in such State to assist such schools in the purchase of agricultural and other foods and in meeting operational costs as provided in subsection (e) of this section. The selection of schools and the amounts of funds that each shall from time to time receive (within a maximum per lunch amount established by the Secretary for all the States), shall be determined by the State educational agency on the basis of the following factors: (1) the economic condition of the area from which such schools draw attendance; (2) the needs of children in such schools for free or reduced-price lunches; (3) the percentages of free and reduced-price lunches being served in such schools to children; (4) the prevailing price of lunches in such schools as compared with the average prevailing price of lunches served in the State under this title; and (5) the need of such schools for additional assistance as reflected by the financial position of the lunch programs in such schools.

(e) In circumstances of severe need where the maximum rate per lunch established by the Secretary is deemed insufficient to carry on an effective feeding program in a school, the Secretary may authorize financial assistance not to exceed 90 per centum of the operating costs of such a program, including the cost of obtaining, preparing, and serving food.

(f) If in any State the State educational agency is not permitted by law to disburse funds paid to it under this title to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsections (b) or (c) of this section an amount which bears the same ratio to such funds as the number of free and reduced-price lunches served in accordance with section 105 of this title in the preceding fiscal year by all nonprofit private schools participating in the program under this title in such State bears to the number of such free and reduced-price lunches served during such year by all schools participating in the program under this title in such State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

(g) In carrying out this section, the terms and conditions governing the operation of the program set forth in the other sections of this title, including those applicable to funds apportioned pursuant to section 102, but excluding the provisions relating to matching, shall be applicable to the extent they are not inconsistent with the express provisions of this section.

## TITLE II—SPECIAL MILK PROGRAM

### AUTHORIZATION

SEC. 201. The Secretary shall formulate and carry out a Special Milk Program to assist States through grants-in-aid to establish, maintain, and expand nonprofit programs to increase the consumption of fluid whole milk by children, and particularly by needy children, in schools and nonprofit institutions.

### APPORTIONMENT TO STATES

SEC. 202. (a) For each of the fiscal years 1967 and 1968, 50 per centum of the funds appropriated for the purposes of this title shall be apportioned among the fifty States and the District of Columbia on the basis of the ratio of the number of children of ages five through seventeen in each of the fifty States and the District of Columbia to the number of all children of ages five through seventeen in the fifty States and the District of Columbia.

(b) The remaining 50 per centum of the funds for each of the fiscal years 1967 and 1968 shall be held by the Secretary in reserve and may be advanced to any of the fifty States and the District of Columbia on justification of need.



(c) For fiscal year 1969 and each fiscal year thereafter the funds appropriated for the purposes of this title shall be apportioned among the fifty States and the District of Columbia on the basis of the ratio of the number of half pints of milk reimbursed with funds apportioned under this section in each such State in the preceding fiscal year, as determined by the Secretary, to the total number of half pints of milk reimbursed with funds apportioned under this section in the fifty States and the District of Columbia in the preceding fiscal year as determined by the Secretary.

#### STATE DISBURSEMENT TO SCHOOLS

SEC. 203. Funds apportioned and paid to any State for the purpose of this title shall be disbursed to schools and nonprofit institutions, determined to be eligible by the State educational agency, on the basis of the following priorities: First, to schools without a food service; second, for needy children in schools with a food service; and third, if available funds permit, to schools and nonprofit institutions for all children. Disbursement shall be made at such rates per half pint of fluid whole milk as the Secretary shall prescribe and shall not exceed the cost to the school or nonprofit institution of obtaining such milk for service to children.

#### NONPROFIT PRIVATE SCHOOLS AND PRIVATE NONPROFIT INSTITUTIONS

SEC. 204. If in any State the State educational agency is not permitted by law to disburse funds paid to it under this title to nonprofit private schools and private nonprofit institutions in the State, the Secretary shall withhold from the funds apportioned to such State under section 202 of this title an amount in each of the fiscal years 1967 and 1968 which bears the same ratio to the funds apportioned to the State as the number of children of ages five through seventeen enrolled in nonprofit private schools within the State is of the total number of children of ages five through seventeen enrolled in schools within the State. Each fiscal year thereafter, the Secretary shall withhold from the funds apportioned to any such State under section 202 of this title an amount which bears the same ratio to such funds as the number of one-half pints of milk for which nonprofit private schools and nonprofit private institutions were reimbursed in the preceding fiscal year is of the total number of one-half pints of milk for which all schools and nonprofit institutions participating in the program under this title in the State were reimbursed. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools and nonprofit institutions within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

### TITLE III—SCHOOL BREAKFAST PROGRAM

#### AUTHORIZATION

SEC. 301. The Secretary shall formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain or expand nonprofit breakfast programs in schools drawing attendance from areas in which poor economic conditions exist and in schools to which a substantial proportion of the children enrolled must travel long distances.

#### APPORTIONMENT TO STATES

SEC. 302. (a) Of the funds appropriated for the purposes of this title for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, the Virgin Islands, Puerto Rico, and American Samoa. Such funds shall be apportioned among such States on the basis of the ratio of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.

(b) Of the remainder of the funds appropriated, the Secretary shall for each fiscal year, (1) apportion the first \$2,500,000 equally among the States, other than Guam, the Virgin Islands, Puerto Rico, and American Samoa, and (2) shall apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families receiving more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.



## STATE DISBURSEMENT TO SCHOOLS

SEC. 303. (a) Funds apportioned and paid to any State for the purpose of this title shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by children in a breakfast program and for the purpose of subsection (b). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist.

(b) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food.

## NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 304. Breakfasts served by schools participating in the school breakfast program under this title shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

## NONPROFIT PRIVATE SCHOOLS

SEC. 305. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 302 of this title an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children enrolled in all schools within the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

TITLE IV—SPECIAL FOOD SERVICE PROGRAMS  
FOR NEEDY CHILDREN

## AUTHORIZATION

SEC. 401. In further recognition of the impact of inadequate nutrition on the health and well-being of children, particularly those from low-income families, the Secretary shall formulate and carry out a pilot program to assist nonprofit institutions such as child day-care centers, settlement houses, and summer camps, which do not maintain children in residence for periods in excess of three months and which draw attendance from areas in which poor economic conditions exist, to establish, maintain, and expand food service for children in group situations away from home. Such food service may be furnished on a seasonal or more extended basis.

## APPORTIONMENT TO STATES

SEC. 402. (a) Of the funds appropriated for the purposes of this title for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, Puerto Rico, the Virgin Islands, and American Samoa. Such funds shall be apportioned among such States on the basis of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.

(b) Of the remainder of the funds appropriated, the Secretary shall, for each fiscal year (1) apportion such sums as he deems appropriate but not more than

\$50,000 to each State, other than Guam, Puerto Rieo, the Virgin Islands, and Ameriean Samoa, as a basic grant, and (2) apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with ineomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families receiving more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.

(c) If any State cannot utilize all funds so apportioned to it, or if additional funds are made available for apportionment under this section among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

#### DISBURSEMENT BY STATES

SEC. 403. (a) Funds apportioned and paid to any State for the purpose of this title shall be disbursed by the State educational agency to nonprofit institutions selected by the State education agency to reimburse such nonprofit institutions for the cost of obtaining agricultural and other foods and for the purposes of subsections (b) and (c) of this section. The costs of obtaining agricultural and other foods may include the cost of processing, distributing, transporting or handling thereof. Disbursement to participating institutions shall be made at such rates of reimbursement per meal or on such other basis as the Secretary shall prescribe. In selecting the nonprofit institutions, the State educational agency shall to the extent practicable, give first consideration to those institutions with the highest proportion of children from low-income families.

(b) In circumstances of severe need where the rate per meal established by the Secretary is insufficient to carry on an effective feeding program, the Secretary may authorize financial assistance not to exceed 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food.

(c) Not to exceed 25 per centum of the funds paid to any State may be used by the State to assist nonprofit institutions serving needy children in the purchase or rental of facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such institutions to establish, maintain, and expand food service under this title.

#### DIRECT PAYMENTS

SEC. 404. If in any State the State educational agency is not permitted by law or is otherwise unable to disburse the funds paid to it under this title to any nonprofit institution in the State, the Secretary shall withhold all funds apportioned under this title and shall disburse the funds so withheld directly to nonprofit institutions in the State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

#### OBLIGATION OF FUNDS

SEC. 405. Notwithstanding the provisions of any other law, balances of funds appropriated for the purposes of this section and unobligated at the end of any fiscal year shall remain available for obligation during the first three months of the following fiscal year only to assist those child-feeding activities that are wholly seasonal in nature, such as summer camps and summer recreational programs.

#### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 406. Nonprofit institutions to which funds are disbursed under this title shall serve meals consisting of a combination of foods and meeting minimum nutritional standards prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children determined by such institutions to be unable to pay the full cost. In making such determination, institutional authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation or other discrimination against any child shall be made because of his inability to pay.



## TITLE V—NONFOOD ASSISTANCE PROGRAM

## AUTHORIZATION

SEC. 501. The Secretary shall formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

## APPORTIONMENTS TO STATES

SEC. 502. The Secretary shall apportion the funds appropriated for the purposes of this title among the States during each fiscal year on the same basis as apportionments are made under section 102 of title I of the Act for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that one-fourth of the cost of any facilities financed under this title shall be borne by State or local funds.

## STATE DISBURSEMENT TO SCHOOLS

SEC. 503. Funds apportioned and paid to any State for the purpose of this title shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate facilities, to conduct a school food service program, and to acquire such facilities. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

## NONPROFIT PRIVATE SCHOOLS

SEC. 504. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under section 502 an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary under section 105 of this Act, served in the preceding fiscal year by all nonprofit private schools participating in the program under title I within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this title.

## TITLE VI—DEFINITIONS AND GENERAL PROVISIONS

## DEFINITIONS

SEC. 601. For the purposes of this Act—

(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

(d) "Nonprofit institution" means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the earnings of which inures to the benefit of any private shareholder or institution.

(e) "Participation rate" for a State means a number equal to the total number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary pursuant to section 105 of this Act, served in the preceding fiscal year by schools participating in the programs under title I of this Act in the State, as determined by the Secretary.



(f) "Assistance need rate" (1) in the case of any State whose per capita income is equal to or greater than the annual per capita income for all the States, shall be five; and (2) in the case of any State having an average annual per capita income less than the average annual per capita income for all the States, shall be the product of five and the quotient obtained by dividing the average annual per capita income for all the States by the average annual per capita income for such State, except that such product may not exceed nine for any such State. For the purposes of this paragraph the average annual per capita income for any State and for all the States shall be determined by the Secretary on the basis of the average annual per capita income for each State and for all the States for the three most recent years for which such data are available: and the average annual per capita income for American Samoa shall be disregarded in determining the average annual per capita income for all the States for periods ending before July 1, 1967.

(g) "School" means any public or nonprofit private school of high school grade and under, including kindergarten and preschool programs operated by such school.

(h) "Secretary" means the Secretary of Agriculture.

#### ACCOUNTS AND RECORDS

SEC. 602. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

#### PROHIBITIONS

SEC. 603. (a) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school or nonprofit institution.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs.

(c) Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

#### PAYMENTS TO STATES

SEC. 604. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### STATE ADMINISTRATIVE EXPENSES

SEC. 605. The Secretary may utilize not to exceed 1½ per centum of the total funds appropriated under this Act for any fiscal year for advances to each State educational agency for use for its administrative expenses in carrying out programs under this Act: *Provided*, That no such agency shall receive a sum greater than 1 per centum of the funds apportioned to it under this Act, or \$7,500, whichever is greater. The amount of such payments shall be deducted from such appropriated funds prior to any apportionment thereof under this Act.

#### SELECTION OF SCHOOLS

SEC. 606. In the selection of schools to receive Federal assistance under section 107 and under titles II, III, IV and V of this Act and in the selection of nonprofit institutions to receive assistance under title IV of this Act, the State agency shall adopt the methods and procedures necessary to assure coordination with and give, where the need is comparable, preference to programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions.

## UTILIZATION OF FOODS

SEC. 607. Each school and nonprofit institution participating under this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, and to nonprofit institutions for utilization in their feeding programs under this Act, as well as to other schools carrying out nonprofit school lunch programs and other institutions authorized to receive such foods.

## NONPROFIT PROGRAMS

SEC. 608. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

## STATISTICAL DATA

SEC. 609. Data on numbers of children of ages five through seventeen and on per capita income shall be made available by the Secretary of Commerce to the Secretary and, except where otherwise expressly stated in this Act, shall be the latest available.

## REGULATIONS

SEC. 610. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

## APPROPRIATIONS AUTHORIZED

SEC. 611. For each fiscal year there is hereby authorized to be appropriated such funds as may be necessary to enable the Secretary to carry out each of the titles of this Act: *Provided, however,* That no appropriation shall be made for purposes of titles III and IV for any fiscal year commencing on or after July 1, 1969, unless otherwise expressly authorized.

## EFFECTIVE DATES

SEC. 612. This Act shall be effective upon enactment, except that titles I and II of this Act shall be effective beginning with the first fiscal year after enactment and shall supersede, respectively, the National School Lunch Act (60 Stat. 230), as amended, and the Act of July 1, 1958 (72 Stat. 276), as amended. For the first year of operation, references in title I and title II of this Act to participation in the preceding fiscal year shall refer to participation, respectively, in the programs under the National School Lunch Act, as amended, and the Act of July 1, 1958, as amended.

(The following bills H.R. 12803, Mr. Grider; H.R. 12804, Mr. Horton; H.R. 12805, Mr. Stalbaum; H.R. 12806, Mr. Sisk; H.R. 12846, Mr. Nelsen; H.R. 12854, Mr. Thomson of Wisconsin; H.R. 12863, Mr. Laird; H.R. 12894, Mr. Dow; H.R. 12984, Mr. Olson of Minnesota; H.R. 12958, Mr. Anderson of Illinois; H.R. 13043, Mr. Culver; H.R. 13113, Mr. Clark; H.R. 13118, Mr. King of Utah; H.R. 13124, Mr. Race; H.R. 13127, Mr. Shipley; H.R. 13131, Mr. Walker of New Mexico; H.R. 13214, Mr. Sweeney; H.R. 13231, Mr. O'Neill of Massachusetts; H.R. 13234, Mr. Resnick; H.R. 13263, Mr. Taylor; H.R. 13273, Mr. Kastenmeier; H.R. 13310, Mr. Dent; H.R. 13316, Mr. Hall; H.R. 13351, Mr. Roberts; H.R. 13433, Mr. Rodino; H.R. 13449, Mr. Helstoski; H.R. 13487, Mr. Roudebush; H.R. 13489, Mr. St. Onge; H.R. 13550, Mr. Cooley; H.R. 13590, Mr. Wright; H.R. 13668, Mr. Bandstra; H.R. 13670, Mr. Burke; H.R. 13705, Mr. Beckworth; H.R. 13721, Mr. Ashmore; H.R. 13781, Mr. Whalley; H.R. 13888, Mr. Tunney; H.R. 13916, Mr. Anderson of



Tennessee; H.R. 13947, Mr. Teague of Texas; H.R. 14059, Mr. Dowdy; H.R. 14255, Mr. Patman; H.R. 14287, Mr. Roncalio; H.R. 14317, Mr. Edwards of California; H.R. 14482, Mr. Schisler; are similar and would extend the special milk program for children. The text follows:)

[H.R. 12805, 89th Cong., 2d sess.]

A BILL To provide a special milk program for children

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Children's Special Milk Act".

SEC. 2. The Secretary of Agriculture is hereby authorized and directed, under such rules and regulations as he may deem in the public interest, to encourage the consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this Act "United States" means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

SEC. 3. All sums appropriated under this Act, less such amounts as the Secretary shall determine to be reasonable and necessary for his administrative costs and reserves, shall be allocated at the earliest possible date for the use of nonprofit schools and other nonprofit institutions desiring to participate in the program and shall be used to reimburse such nonprofit schools and other nonprofit institutions for fluid milk served to children. Any such allocation, or portion thereof, which the Secretary shall determine will not be fully utilized by any such nonprofit school or other nonprofit institution as then allocated, shall be reallocated by the Secretary so as to accomplish maximum use of such funds.

SEC. 4. For the purpose of carrying out this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not less than \$110,000,000; for the fiscal year ending June 30, 1968, not less than \$115,000,000; and for the fiscal year ending June 30, 1969, and each succeeding fiscal year thereafter, not less than \$120,000,000.

(The following bills: H.R. 12907, Mr. Quie; H.R. 13006, Mr. Widnall; H.R. 13047, Mr. Duncan of Tennessee; H.R. 13058, Mr. Reifel; H.R. 13061, Mr. Stafford; H.R. 13143, Mr. Dole; H.R. 13164, Mr. Harvey of Michigan; H.R. 13204, Mr. Harvey of Indiana; H.R. 13209, Mr. Howard; H.R. 13275, Mr. Kornegay; H.R. 13427, Mr. Fulton of Pennsylvania; H.R. 13433, Mr. Rodino; H.R. 13439, Mr. Stratton; H.R. 13630, Mrs. Mink; H.R. 13707, Mr. Bingham; H.R. 13717, Mr. Schmidhauser; H.R. 13755, Mr. Dulski; H.R. 13761, Mr. Keith; H.R. 13814, Mr. McCarthy; H.R. 13873, Mr. McEwen; H.R. 13878, Mr. Ottinger; H.R. 14147, Mr. Minshall; H.R. 14203, Mr. Multer; H.R. 14285, Mr. Meeds; H.R. 14326, Mr. O'Brien; H.R. 14350, Mr. King of New York; H.R. 14439, Mr. Springer; are similar and would make permanent the special milk program for children.)

[H.R. 12907, 89th Cong., 2d sess.]

A BILL To provide a permanent special milk program for children

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Children's Special Milk Act of 1966."

#### LEGISLATIVE FINDING

SEC. 2. The Congress finds that the increased consumption of fluid milk by a maximum number of American children is in the public interest in order to promote public health and nutrition; to create and develop markets for dairy products produced by American farmers; and to effectively and efficiently supplement the dairy price support activities of the United States Department of Agriculture.

SEC. 3. The Act of July 1, 1958, as amended (72 Stat. 276; 74 Stat. 84; 75 Stat. 147; 75 Stat. 319), is hereby repealed.



SEC. 4. The Secretary of Agriculture shall, under such rules and regulations as he may deem in the public interest, encourage the consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this Act "United States" means the fifty States and the District of Columbia.

SEC. 5. All sums appropriated under this Act, less such amounts as the Secretary shall determine to be reasonable and necessary for his administrative costs and reserves, shall be allocated at the earliest possible date for the use of nonprofit schools and other nonprofit institutions desiring to participate in the program and shall be used to reimburse such nonprofit schools and other nonprofit institutions for fluid milk served to children. Any such allocation, or portion thereof, which the Secretary shall determine will not be fully utilized by any such nonprofit school or other nonprofit institution as then allocated, shall be reallocated by the Secretary so as to accomplish maximum use of such funds.

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but for the fiscal year ending June 30, 1966, not to exceed \$105,000,000; for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; for the fiscal year ending June 30, 1969, and each succeeding fiscal year thereafter, not to exceed \$120,000,000.

The CHAIRMAN. We have with us this morning the Honorable Orville L. Freeman, Secretary of Agriculture.

We are glad to have you here and we will be happy to hear from you now.

**STATEMENT OF HON. ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE; ACCOMPANIED BY HOWARD P. DAVIS, DEPUTY ADMINISTRATOR, CONSUMER FOOD PROGRAMS, CONSUMER AND MARKETING SERVICE, U.S. DEPARTMENT OF AGRICULTURE**

Secretary FREEMAN. Mr. Chairman and gentlemen of the committee.

I always appreciate the opportunity to be here, your courtesy, and that of the committee.

I have a short statement this morning. I know that time has run on for you. I will present it as rapidly as I can and will be pleased to do my best to respond to questions.

I am pleased to testify in support of H.R. 13361, the Child Nutrition Act of 1966. These proposals will permit us to begin a comprehensive effort to broaden child nutrition programs in this country. They are based on what we have learned in 20 years of administration of the National School Lunch Act, and they reflect a careful assessment of gaps which now exist in the nutritional needs of children in this country.

The Administration goal for child nutrition is quite simple. It is to provide every child, regardless of the family's income, with access to a complete meal during the day when he or she is away from home.

To close the nutrition gap:

We want to double the number of children who now receive a free or reduced price meal through the school lunch program.

We want to provide assistance to those schools without lunch facilities where 9 million children are enrolled today.

We want to see the success—and the benefits—of the school lunch program duplicated in the growing number of food service programs for children outside the school system, such as day-care centers, pre-

school activities, and summer camps—particularly those serving children of low-income families.

We want to see to it that a child who arrives at school with an empty stomach does not have to wait until lunch before he or she gets anything to eat.

We want to extend the administrative machinery that has worked so well for the national school lunch program to the new activities and provide administrative funds to the States to make this possible.

No one questions the importance of good nutrition to the physical and mental health of our children, to their alertness and ability to learn. The 20 years of experience with the lunch program—the wide acceptance and support the program commands—demonstrates the direct relationship of good nutrition to the learning process.

This year in some 71,000 schools across the Nation more than 18 million children will consume a record 3 billion lunches. This program represents the largest single group-feeding effort anywhere in the world. It supports a business with an annual volume of some \$1.5 billion. Significantly, the largest portion of this cost is provided at State and local levels, including payments from the children who receive the food. Federal support, which in dollars and donated food from surplus stocks amounts to about \$325 million a year is largely a catalyst to encourage the States to establish the program and the schools to participate in it.

Over the years, program growth has been steady and sound at an annual rate of 6 to 8 percent. We have been pleased by this growth. But we are also concerned that poor nutrition—and malnutrition—still curtails the learning capacity of too many children today.

Shortly after I came to the Department, I asked that a survey be made of the child nutrition efforts we were then carrying out. I wanted to know just where we stood: Was this Nation, blessed with an abundant agriculture, meeting the needs of its children? Were we, for example, reaching children most in need of improved nutrition?

The results were jarring, to put it mildly. We found a gap which was steadily growing and would continue to grow unless additional steps would be taken to meet it.

We found there were 9 million children in schools with no food service.

One million of these are children of poverty and should have a free or reduced-price meal, if it were available.

Beyond this, we found another half million needy children in schools equipped with lunch facilities who should also have free or reduced-price meals but who could not because local resources were inadequate.

The schools without facilities are, for the most part, those in downtown urban areas or in isolated rural areas. A great many of these schools draw attendance from children of low-income families. These schools and these children need help.

Then another question naturally arises: If the lunch program is good for children during the school year, what can be done to maintain that same sound level of nutrition when school is out? The need for good nutrition does not diminish during the summer months when the schools in the lunch program suspend operations.

Even though lunch programs may be suspended during the summer months, thousands of children can continue to share in our food



abundance through summer programs in which they are enrolled, such as playgrounds, camping activities, and day-care centers.

In addition to the need for low-cost lunches and nonschool feeding programs, a new problem has developed in recent years which adds greatly to the nutrition gap among young people. Too many of our children arrive at school without a proper breakfast. Many children in rural areas travel long distances by bus while in urban areas a child's parents often have to leave for work an hour or more before the child leaves for school. Neither situation is conducive to a good start for the day as far as the child is concerned.

Let me quote from a recent publication, "Education: An Answer to Poverty," issued by the Office of Education and the Office of Economic Opportunity:

Scientific studies have shown conclusively that the process of learning virtually ends when a human being becomes uncomfortably hungry. When a child appears at school in the morning having had little or no breakfast, he might just as well have stayed at home. The teacher's effort is wasted. The curriculum, the long hours of professional preparation, the value of textbooks and teaching aids are lost upon him. Similarly, a child without lunch loses most of the value of a school afternoon. A hungry child not only injures himself, but his discomfort may subtly disturb the teaching of a whole class.

This brief review of the youth nutritional gap describes some of the problems which confront us, and which should be of concern to all Americans. In recent years we have attempted to meet the nutrition gap within existing legislation, with varying degrees of success.

During the 1961-62 school year, we recommended and the Congress provided for a special commodity assistance program for needy schools. We developed what might be called a school lunch CARE package containing the essentials for a lunch. This was shipped to participating schools. It was a less than adequate solution.

In the winter of 1962-63, through the vigorous cooperation of the Kentucky State school lunch staff and local officials, we tried another approach to getting a lunch program started in isolated one- and two-room schools in the Appalachian area of eastern Kentucky.

In the course of several months we were able to start a lunch program in 380 schools with an enrollment of about 11,000 children. In most of these schools, space for food storage, preparation, and service was virtually nonexistent. Sanitation facilities were poor. But the job was done, using two-burner hot plates, second-hand refrigerators, and asking the children to bring a plate and utensils from home.

The State school lunch director diverted extra Federal school lunch money to these schools as well as extra donated commodities to provide a type A lunch. This program required enormous cooperation among all those involved, but the results in terms of improved health, attendance, and attention among participating children made the effort more than worthwhile.

We have explored, too, and made a special study of the problem of getting the lunch program to downtown urban schools where there are no food service facilities and no place to put them. There are several ways of coping with this need, such as centralized kitchen operations to service satellite school lunch programs. The few test projects which have been carried out indicate that central kitchen facilities can be very effective in these situations.

The greatest success we have achieved thus far in the effort to show that the children nutrition gap can be closed was initiated this school



year with a \$2 million appropriation the Congress made for this fiscal year.

The appropriation under section 11 of the National School Lunch Act—which authorizes additional funds to help provide low-priced lunches—gave us a chance to show what could be done with a little money and a lot of determination.

We have developed 817 demonstration projects throughout the country—at least 1 in every State, the District of Columbia, and Puerto Rico—to enable schools in low-income districts to reduce the price of lunches by as much as 10 to 15 cents—to as low as 10 to 15 cents per meal in many areas—and provide many free meals. Most of these demonstration schools have lunch facilities, but could not provide free or reduced price lunches to all the children unable to pay the regular price. Some 60 percent of the 330,000 children attending these schools are now participating in the lunch program, an increase of 60 percent over participating before section 11 special assistance was available.

Statistics alone do not tell the full story of the success of this program. You only begin to see this when you read the reports which tell of the decline in absenteeism or the drop in the time lost when a child, weakened by hunger, became dizzy or sick from stomach cramps and had to leave the classroom. There are notes of unmistakable joy in the words of teachers and school nurses when they tell of the increase in growth and weight of the children.

These are not isolated results. They run as a common thread through the reports and letters from demonstration projects in each area. In this respect, the project here in the District's Shaw Junior High School is typical.

When the demonstration program began in January, the price of the school lunch was reduced from 30 cents to 20 cents, and the number of lunches served doubled from about 300 a day to over 600. For most children, the lunch provides almost half of their daily nutrition needs; for some, the school lunch is often the only good meal the children get all day.

The school nurse reports that the change in students, particularly the needy students, has been remarkable. Complaints of stomach cramps have dropped, and the attention span of students has increased.

These results demonstrate clearly that the child nutrition gap can be closed, and that the States and local schools are both willing and able to attack this problem vigorously and effectively, if they have help.

That is why I am here today to ask the Congress to provide the assistance which the local schools and the States are ready to apply to insure that children throughout this country will have the opportunity for a full meal.

This will require both appropriations and new authority, H.R. 13361 would authorize—

(1) Continuation of the national school lunch program in precisely the same form in which it is now operating. One additional feature is included to strengthen still further our efforts to provide special assistance to low-income area schools. In cases of severe need where the maximum rate of Federal reimbursement per lunch is too low to carry on an effective lunch

program, there would be authority to finance up to 90 percent of the operating costs of the program.

(2) A pilot breakfast program for schools in low-income districts for a period covering the next 3 fiscal years. These breakfast programs will be similar to a number of special projects which have been conducted in the current school year with generally favorable results.

(3) A permanent program to assist low-income school districts to acquire food service equipment where it is not now available.

(4) A permanent special milk program. Although priorities are outlined in this title of the bill, the language is sufficiently broad to include all the outlets and the types of outlets now participating if sufficient funds are available. We recognize that questions have been raised on these provisions. If the committee would prefer to substitute for the title II language that of the existing authority under which the special milk program is administered, we would have no objection.

What I am saying here is that the special milk program will go out this year if it is not extended; that we would have no objection to its extension with the current language as it now stands; however, the provisions in this bill do provide for a priority of disbursement funds within the school lunch program in the event that Congress did not appropriate enough funds to meet all needs. This House has already acted; it appropriated \$103 million. That amount is enough to meet all needs, so that the priority that is set forward in this section would not apply this year. I repeat: If this committee does not wish to establish such priorities, we are amenable to the continuation of the current language.

(5) A pilot program to enable nonschool programs involving needy children, such as neighborhood houses, summer camps, and day-care centers, both during the summer months and year-round, to participate in a lunch program.

(6) The use of Federal funds to help State agencies to defray administrative costs of this expanded effort.

(7) Extension of the school feeding program to preschool activities which are operated as part of the school system.

President Johnson, who shares our deep concern for the nutritional needs of America's youth, has authorized me to say that he intends to request a special \$50 million child nutrition supplemental appropriation. The bulk of this will be recommended for use to finance a low-priced lunch program in schools serving needy areas.

The supplemental request would also cover appropriations for the breakfast program, the food service equipment program, and the lunches for the non-school-child activity program.

With this new authority and the funds adequate to finance them, this country can take a giant step toward closing the child nutrition gap before it grows even more serious.

I believe the school lunch program has demonstrated our willingness to invest in the future of our Nation by insuring that lack of food will be no barrier to the learning process.

Our success in this effort is convincing evidence that we should go the rest of the way, that we should insure that the lack of income will be no barrier to the less fortunate children for whom education is the one chance they have to escape the poverty of their childhood.



Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Secretary.

I would just like to ask you a few questions.

On page 3 of your statement you point out:

The need for good nutrition does not diminish during the summer months when the schools in the lunch program suspend operations.

How would you propose to administer a food program to the children who are scattered all over the neighborhood—maybe all over the county—if they do not come to a centrally located school where the lunch can be provided?

But before you answer that question, I would like to ask you this question: Where does the food stamp program come into this picture? I know that in my area the food stamp program has operated very successfully and very well, but it is not extended to the heads of families that are employed and earning a living. I can visualize a lot of children from these families who will be hungry when they suspend the school lunch program for the summer months.

You cannot go around from house to house to deliver a breakfast that they need or a lunch that they need. How in the world are you going to ever administer a program of this kind?

Secretary FREEMAN. It is not contemplated, Mr. Chairman, that there would be a house-to-house effort to reach these children with food. Rather, we contemplate where there are organized youth activities, that the children regularly attend, where they have the facilities for distributing the food and the preparation of the lunch and availability of milk, as the case may be, that it could be done there. We have had a number of such programs in the past—such feeding programs, and we think it is within the range of practicality to administer such a food program.

The CHAIRMAN. That may be where they have kindergartens and the children are there in the morning. They will probably be able to get lunch at lunchtime. But in other areas, they do not have kindergartens, they do not have the facilities to furnish the food.

Secretary FREEMAN. In that case, where there is a kindergarten there, presumably, would be a lunch served; and where there is not, where they do not have a kindergarten on an organized basis, there will not be a lunch.

The CHAIRMAN. The food stamp program could include these children by providing food to the families. You could take care of it in that way. I know of families in my own community that are not in the food stamp program, because some of them are working on farms and some are working otherwise, and in some instances, because of mechanization, they are losing work on the farms and, maybe, there is in the house a mother with three little children. How will you get food to them? That is what I am worried about. If you permit them to stay on the food stamp program, it would help; otherwise, they will not receive help.

Secretary FREEMAN. In this instance, if they do not obtain employment, why they ought to be on the food stamp program. Of course, certification is a matter which is made by the local authorities, and as such if they have been disqualified because there is work available, that decision has been made by the county welfare people.

The CHAIRMAN. The school lunch program takes care of the children in the school if the local authorities participate. Suppose you have



the program in operation and you do have poverty in the area but the local community is not interested. I know that in my home county—the first county in North Carolina to put in the food stamp program—the program has operated so well that other counties seeing it in operation have asked to participate.

But this is a problem, that it would be difficult to operate a program for several months when they are not in the school.

Secretary FREEMAN. It does present a problem. The bill that was introduced in the Senate did not include this provision. We are confident that it is administrable with organized activities, such as summer camps, day camps, kindergartens, and the like.

The CHAIRMAN. As to these day camps and similar activities, how do these poor children get there?

Secretary FREEMAN. The only way that they can be reached is where there is an organization which can be responsible for preparing and serving the food. That would be a prerequisite to extending the program. If there is such an organized activity, it is our strong recommendation that they should have access to the school lunch program.

The CHAIRMAN. One other question. In North Carolina, all of our children are taken to schools in buses in the morning and are brought back home in the evening. Those are the ones of school age. If they are not within that school-age bracket, they just stay at home. I just do not know how you could furnish them with milk and the food that you think is needed. I agree with you that they should have it, so long as we have such abundance as we have in this country. It seems to me that distribution is the thing that is the problem, and that bothers me.

Secretary FREEMAN. Again, the breakfast program could only reach the children who came to the school, the preschool children. Unless they were a part of the preschool effort, like in kindergarten or even something like in other programs, they could only be reached if there was such an organized bringing together of the children. It is not contemplated here going out into the private homes.

The CHAIRMAN. I can see how you can administer it in a great city where the children come from a very small geographic area, but down home they come from miles away, and you would have to have some system whereby they could get the food.

Secretary FREEMAN. The purpose of this school breakfast program would be that when they get to the school they would have the breakfast at the school, and they would have their lunch there, too.

The CHAIRMAN. That would serve the 6-year-old kids, from the first grade on up, but I am talking about the preschool children. I do not know how you would feed the preschool children.

Secretary FREEMAN. They would be covered by our recommendation here today if they come to school. But I do not see how they could be covered either if they did not come to school, other than through programs such as the food stamp program and direct distribution, and the like, presently available to try to improve the nutrition at home of those families.

The CHAIRMAN. Mrs. May.

Mrs. MAY. Just for clarification: As I understand it, the food stamp program, the way it works, the very fact there may be someone in the family who has employment does not necessarily deny them the use

of the food stamp program. Determination is made on a formula basis, taking into account the number of children in the home to be fed. Maybe a part of the family is employed, but they are still eligible for the food stamp program and have the use of these food stamps.

The CHAIRMAN. I am not quite clear about it myself, but my impression is that if the mother and the father have employment, that they go off the food stamp program.

Mrs. MAY. It is based on size of income and how many children there are, and the like, and whether the income is adequate to give them a decent nutritional level. They may have 10 children in a family and maybe both parents are working, but the local agency can determine whether they are eligible for food stamps, because of the number of children in the home that they are feeding and the smallness of their income.

Am I correct on that?

Secretary FREEMAN. You are correct?

The CHAIRMAN. That is your understanding?

Secretary FREEMAN. Yes, sir; that is correct. This is a matter of local determination.

The CHAIRMAN. I know that.

Secretary FREEMAN. There is a qualification.

The CHAIRMAN. I think that the local determination is that where the parents are employed, they go off the food stamp program. I can check that in my own area.

Secretary FREEMAN. It ought not to be, because there is a formula which is related to the income of the family and related to the number of children in the family. What we urge is not only that it should reach these people on welfare but there is an additional area where people can still be entitled, even if they cannot qualify for welfare.

The CHAIRMAN. Are there any further questions?

Mr. Hagen?

Mr. HAGEN of California. What consultation was had with the various State education offices in determining a formula for distribution of money among States.

Secretary FREEMAN. For this new program?

Mr. HAGEN of California. Well, there are several new programs—the breakfast program and special assistance programs, and so forth.

Secretary FREEMAN. The prerequisite would be if we have the authority, why, then, the States that came and indicated that they were prepared to provide the resources that would come from the State by way of administration and by way of meeting certain standards by which they would be certified, and the funds and resources would be made available.

Mr. HAGEN of California. I do not think that you understand my question. What consultation would there be with the various State educational authorities as to the equity of these formulas that you have in the bill for eligibility?

For example, in one place you have \$2,000 as the income figure. I think this issue came up in the poverty program, that in many States, for example, many people were drawing more than \$2,000 in welfare payments, but because the cost of living, and so forth, in some area, that might not be sufficient, and there might be some in the low-



wage areas and low-cost-of-living areas who might get along quite well on \$2,000.

Secretary FREEMAN. What section are you referring to?

Mr. HAGEN of California. There are portions, several portions, where we have the \$2,000 figure. I think that Mr. Davis can tell us about that. This issue came up in connection with eligibility under the poverty program where it was pointed out that in many areas, for example, people were drawing more than \$2,000 on welfare, and yet it is an inadequate income because of the high living costs, et cetera.

Mr. DAVIS. If I may, Mr. Chairman.

At the time that these formulas were being developed for inclusion in the bill, the figures for some of the other educational programs, the poverty benchmark was \$2,000, and it was our feeling in this bill—and we did consult with State educational people and the people in the Office of Education—that we should harmonize the standards in this bill with what they were using in education. Now, if their benchmarks are raised, then the benchmarks in this bill should probably also be raised, to use a common standard between the two agencies, but we did consult with them on these portions of the proposed bill.

Mr. HAGEN of California. Furthermore, as I understand it, with respect to some of these programs, you look at the State per capita income, and I assume that would be the gross per capita income; is that correct?

Mr. DAVIS. That is my understanding.

Mr. HAGEN of California. Well, the application of this formula might result in ineligibility in some States for some of these programs, yet within the States there are areas where the per capita income is considerably lower than the national average.

Mr. DAVIS. I do not believe, as the bill is written, that it would operate quite that way, Congressman Hagen. Each State would share in the fund. In developing a formula by which we would apportion whatever funds Congress made available among the various States, we would use these population figures at these income levels as the means of determining the amount that would go to Kentucky, for example, as against the amount that would go to California, or whatever State it might be, so that this would not preclude a State from getting funds. It would determine the amount of funds that would go to one State as against another State on the principle that the State demonstrating the most need would receive, percentage-wise, the larger portion of the funds.

Mr. HAGEN of California. Well, now, with respect to that, once this program is instituted, what is going to happen to the regular school lunch program?

As I understand it—and correct me if I am wrong—the contributions towards the lunch under the present program have suffered a fairly constant decline; in other words, the contribution for lunch is now very minimal to the point where many school districts have actually abandoned the program because they can prepare a lunch cheaper without these Federal requirements. And my question is: Do you anticipate maintaining the contribution per lunch under the regular program at about the present level, or do you contemplate asking for more money so that it will be more per meal, or what?

Secretary FREEMAN. The contribution is about 11 cents.

Mr. HAGEN of California. That is what has been the average.



Secretary FREEMAN. Right. And we contemplate no change in connection with that. And this does not have any effect on that, one way or the other, except that it would tend to help to the extent that in those districts now where they are lowering the price or giving free lunches to the poor children, that drains away from the amount they have for others that are above that criteria. So, to that extent, this would help to strengthen the general school lunch program. Otherwise, it would have no effect on it.

Mr. HAGEN of California. Would you not concede that the 11-cent contribution is too small and that it has seriously limited the present program?

Secretary FREEMAN. The cost of preparing and serving these lunches has gone up, and it tends to go up as other things go up. The point is: When should the Federal contribution be increased? We do not recommend an increase in the current appropriation, for simply problems of economy—that is, in the budget. That question will be taken under consideration again when the budget for fiscal year 1968 is prepared.

Mr. STALBAUM. Will you yield?

Mr. HAGEN of California. Yes.

Mr. STALBAUM. Mr. Secretary, in that same connection, in reading the bill, on page 13, where you get into the matter of the disbursements to the schools, some authorities are established:

First, to schools without a food service; second, for needy children in schools with a food service; and third, if available funds permit, to schools and nonprofit institutions for all children.

My point is this, in line with Congressman Hagen's question: Suppose that you make a request to fully fund all parts of your program but the Appropriations Committee determines that they want to cut back on your needy-children phase of it. In other words, if I am correct, this is going to be one appropriation in this act. Would the administration of the moneys end up by taking it away from the pre-school lunch and school milk programs if priority is given to the other programs?

Secretary FREEMAN. No. The answer is "No," and may the record be clear on this, so that there will be no confusion—it would not. The appropriation would be made by title. The appropriation for section 11, which is the special appropriation for needy children, would be such an appropriation. It would not detract from the other school lunch programs. The section to which you now refer is only on milk.

Mr. STALBAUM. That is right.

Secretary FREEMAN. And in that sense, it assumes that there is less than an appropriation adequate to meet all needs. I tell you in my prepared testimony that we would have no objection to removing the priorities if this committee saw fit to do so, to prevent any confusion.

Mr. STALBAUM. You are going to substitute the present law for all of title II?

Secretary FREEMAN. Yes, that is right.

Mr. STALBAUM. Thank you.

Mr. HAGEN of California. I have one more question.

I want to lay the background for this in a California situation: We have school areas where average per capital income would be substantial, but we have some families in such communities who are poor,

and these people definitely have financing problems, and the State has somewhat helped out. I am sure that there are kids of families within these districts who would meet the criteria of being poor as individual families, but I foresee the possibility that none of these special funds will go into these types of districts, because if you look at the average per capita income, the district will not be eligible for some of these special programs. Do I make myself clear? Basically, the question is: What do you do, under this bill, for poor kids who are living in relatively well-to-do areas? The thrust of this bill is strictly as to those areas where they have mass poverty.

Secretary FREEMAN. No; it is not. This bill provides, as section 11 does, help to reach the poor children who could not afford to buy lunch, that the local school district was to give the lunch to, even though it may be in a school district which does not have so many of them. It will be helping everyone within that district. It will go only to the poor children. It is designed for that purpose. Those children who are in the other categories, this bill is not designed to meet. It is designed for the poor child and to supplement the local school district, whether it is a rich or a poor one, in meeting the needs of the destitute child.

Mr. HAGEN of California. That is section 11, you say?

Secretary FREEMAN. Yes, sir.

Mr. HAGEN of California. What page is that on?

Secretary FREEMAN. Section 11 is in the main School Lunch Act, and so far as section 11 is concerned, what we have asked for, and the President will be asking for, is additional appropriations under section 11.

Mr. HAGEN of California. Thank you very much.

The CHAIRMAN. Mr. Matsunaga?

Mr. MATSUNAGA. In determining the eligibility of children who come from poor families, under the OEO program, an area such as the State of Hawaii where the cost of living has been determined to be higher than in other areas, a higher standard has been set. I notice that you have only one figure in the bill, \$2,000. Would you accept amendments to graduate the standards for different families as in the poverty program?

Secretary FREEMAN. Based upon the standard of the cost of living?

Mr. MATSUNAGA. Yes. For example, in Hawaii, it has been set at \$4,000 rather than \$3,000 as the poverty standard.

Secretary FREEMAN. Do you have any comment on that, Mr. Davis?

Mr. DAVIS. Yes, sir; that \$2,000, again, is a benchmark in determining the apportionment of the total funds among the States. That does not form a criteria for the selection of individual children in the schools or the selection of the school itself. That \$2,000 benchmark is for the purpose of a formula to divide the total appropriation among the States. The determination of which school, which attendance units within a district, would be eligible for special assistance, or the determination of which children within that district should have free meals and which should pay for them, is left to the discretion of the local school authorities, in this legislation. The concern you express is the exact reason why we left it to the local authorities, because conditions vary from area to area. Poverty is one thing in the city of Detroit; it is another thing on a farm in some rural areas.



Mr. MATSUNAGA. In order to determine the apportionment of the funds, you are going to use this benchmark of \$2,000? This would seem inequitable, in that \$2,000 in one area may be equivalent to \$3,000 in another area.

Secretary FREEMAN. May we reserve our thinking on this?

We are not quite sure of what we are getting into. What you are really saying is that if you have the figure of \$2,000 and you have a figure of \$3,000—and I notice that Congressman Hagen is listening very intensively, because he is thinking of \$3,000 for California also—means that we have the problem of developing a fair, equitable formula, and that it might well be that where should be differences within the formula to take care of such conditions within the States. Here, it would not do that. The individual apportionment within the State is left to the State, but as between, why, there is a firm formula without any difference and, frankly, we are really not prepared to make a final statement on that at this time.

Mr. MATSUNAGA. Who determines what schools shall be elected for a pilot program?

Secretary FREEMAN. That would be by the local people.

Mr. MATSUNAGA. By the local authorities?

Secretary FREEMAN. Yes.

Mr. MATSUNAGA. One further question: Some opposition has been voiced on the grounds that a stigma might be attached to those who receive free lunches as coming from poor families. What is the mechanism intended to avoid this?

Secretary FREEMAN. I would like to make the record very clear on this, because there has been a good deal of confusion about this—that some recommendations have been made by the administration for some changes under the school program or the milk program. I would like to make it clear that no such changes have been recommended at anytime. This is simply a misunderstanding. There is now, there always has been, and, really, I do not see how there cannot be some kind of a test or determination, if you are going to give one child a free lunch and you are expecting another child to pay for its lunch. The only answer to that would be to give every single child in the United States a free lunch across the board. The same thing would go for milk. We have not done that. We have said that children who are in the lower income families should get a lower priced lunch or should get a free lunch, and that children, such as in my family, should pay a certain amount for their lunch. That now is being done. How it is being done is left up to the local authorities to work out in a variety of ways. Our encouragement and our insistence is that it should be done with a minimum of attention, to avoid all embarrassment or the pointing out of the poorer children, and there is nothing that has been recommended to this Congress; there is nothing in the Appropriation Act; there is nothing in the bill—there is nothing in it in anyway—that would change that one iota. The idea that the recommendation was the setting up some new kind of means test, very frankly, has been based on a total and complete misunderstanding of this whole business. There is a means test. It is a local test. The only way to get away from the means test would be to give a free lunch to everyone. The point is that we have got to make that test as innocuous, as little noticeable as possible.



Mr. MATSUNAGA. I appreciate your clarification. I yield to the gentleman from California.

The CHAIRMAN. Are you finished?

Mr. MATSUNAGA. Yes.

Mr. HAGEN of California. Apropos of what Mr. Matsunaga and I are concerned about, because this is a real program, you might follow the history of the poverty program and this \$2,000 test. I think it was originally in the original poverty program.

The CHAIRMAN. Are you finished?

Mr. HAGEN of California. Yes.

The CHAIRMAN. Mrs. May.

Mrs. MAY. Along this line, Mr. Secretary, I have been concerned that in cases where we have locally applied the means test within the regular school lunch program, it should be with the least embarrassment to the child. Some districts thought that one way worked better than another way. I am wondering, however, if it will be more difficult under section 401, title IV? Perhaps, I should first ask if you have some pilot programs, such as the day-care centers and settlement houses, and the summer camps on this? I pose this question, because I realize that in counties or in districts that do have summer camps and day-care programs, a mixture of programs, that they have people from both low- and medium-income groups. Is it more difficult to apply the means test here without pointing the child out in that situation or possibly being pointed out as the one who gets a free picnic lunch or an outdoor lunch as against those who bring their lunch?

Secretary FREEMAN. In this case—and correct me, if I am wrong, Mr. Davis—it is my understanding that everyone would get a free lunch or a breakfast in this case.

Mrs. MAY. In this case.

Secretary FREEMAN. In this instance.

Mrs. MAY. No matter what income background?

Secretary FREEMAN. In this instance, why, it would go to everyone that would be there, because we have defined that it would come from strictly a poor area, and if there were some others in it, it would be so limited that it would make no sense to draw a distinction.

Mr. DAVIS. Yes.

Mrs. MAY. In other words, the differentiation might come from the kind of summer camp that was set up. Sometimes wealthy communities will have such children's activities, where a great many of the children do not come from low-income families.

Secretary FREEMAN. That could happen in some instances—they might then want not to have this requirement.

Mrs. MAY. They would not even be eligible for the program in the first place.

Secretary FREEMAN. They might be, but the impact here would be that they would have tests.

Mrs. MAY. Just one question on the wording of title IV. You say that there will be programs offered to certain nonprofit institutions, et cetera, which do not maintain children for periods in excess of 3 months. Then, you have a final sentence that such school service may be furnished on a seasonal or more extended basis. What does that mean?

Secretary FREEMAN. There might be a program in some of these where a settlement house, for example, could have a program that would run for an entire year, and this gives the authority to make such exception for expansion in terms of a special kind of program that might run longer than the off-school period.

Mrs. MAY. The wording in that particular sentence seems to be contradictory.

Secretary FREEMAN. Yes.

Mrs. MAY. To limit it to 3 months in residence in one area, and then you say for an extended period of time.

Mr. DAVIS. If I may, Congresswoman May. We contemplated here that we would not want to pick up the feeding costs in a normal child-care institution, such as an orphanage that ran a full year, but for a nonresident, year-round program, such as a settlement house, to provide assistance for a noon meal, and at the same time to provide for summer camps, where they are in residence 24 hours a day, but it only runs for a short period of time. We were caught in the switches trying to throw out full-care institutions, year-round institutions, but not to throw out full-care summer camps and at the same time to provide for the away-from-home feeding outside of the school in some of these other programs.

Secretary FREEMAN. That language might very well be improved.

Mrs. MAY. I think that it ought to be. There may be some confusion, otherwise.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. O'Neal.

Mr. O'NEAL. Mr. Secretary, I am very much disturbed about some correspondence that I have had with the school people in my State and in my district, including a letter that I have before me from the State superintendent of schools who has taken about five or six single-spaced pages to discuss this bill. This particularly disturbs me, because he says that in considering not only the bill but the proposed budget recommended for implementation of the bill, that our State of Georgia would suffer terrifically as the result of this. He points out that we have over 600,000 Georgia pupils daily receiving lunches under this basic school program, and then he says that the passage of the proposed budget would provide about \$129 million whereas to maintain the same level of assistance that we have been having, we would need \$156 million. Does this mean then that my State would suffer a \$37 million loss by reason of this?

Secretary FREEMAN. No. What you are referring to, and what he referred to there, Congressman O'Neal, is the appropriation.

Mr. O'NEAL. Yes.

Secretary FREEMAN. The appropriation has cleared the House, as you know, at a level which will continue.

Mr. O'NEAL. I see. This is an old letter. I did not realize the significance of it.

Secretary FREEMAN. That is an appropriation question, and it has nothing to do with this bill.

Mr. O'NEAL. Would my State suffer at all by reason of this bill?

Secretary FREEMAN. Your State would gain by reason of this bill. They would gain considerably by means of additional resources to meet the poor children's needs.

Mr. O'NEAL. Is this true with respect to the special milk program, also?

Secretary FREEMAN. Yes.

Mr. O'NEAL. Thank you very much.

Pardon me, one more question, please, Mr. Chairman.

Has this passed the Senate?

Secretary FREEMAN. This bill?

Mr. O'NEAL. Any bill?

Secretary FREEMAN. No; it is pending before the Senate. I testified before the Senate earlier this week.

Mr. O'NEAL. Do you know anything about the Ellender amendment?

Secretary FREEMAN. The Ellender amendment is this bill, with the exception of the out-of-school feeding section. What Senator Ellender did, rather than propose a new law, as the chairman here has done in H.R. 13661, is that he took out one section of this bill and then put the balance in as an amendment to the current School Lunch Act. The effect is the same, with the exception of the one section.

Mr. O'NEAL. Well, may I ask you this, then: If the Ellender amendment is not adopted and this out-of-school program is left in, will my State suffer?

Secretary FREEMAN. No; it will be exactly where it was before.

Mr. O'NEAL. Thank you.

The CHAIRMAN. Are there any further questions?

If not, Mr. Secretary, we thank you very much for your appearance here.

Secretary FREEMAN. Thank you, Mr. Chairman.

The CHAIRMAN. I recognize Mr. Stalbaum for the moment.

Mr. STALBAUM. I would like to file in the record a statement on this bill, at this time.

The CHAIRMAN. Without objection, it will be made a part of the record at this point.

(The prepared statement of Hon. Lynn E. Stalbaum, follows:)

STATEMENT OF HON. LYNN E. STALBAUM, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF WISCONSIN

Mr. Chairman, the Child Nutrition Act which we are considering today carries the seeds of its own destruction. I refer to the stipulation which would gut the enormously successful and popular Special Milk Program for Children by restricting its benefits to those children who are willing and able to supply proof that their parents are poor providers.

Not only would a "means test" impose an impenetrable administrative maze on a program that has been singularly free of red tape, but it would introduce a thoroughly unpalatable element into government economizing. Few children, or their parents, can feel respect or gratitude for a government that presents them with a choice between nutrition and self-esteem.

Passage of the Child Nutrition Act with a moribund Special Milk Program for Children would reduce the consumption of fluid milk by at least 500 million pounds and possibly as much as one and a half billion pounds. Either figure represents a substantial loss to the American dairy farmer. Far more important, however, is the nutritive loss to the American children who do not consume that milk because they are too prosperous—or too proud.

Nothing is more certain than that children—from all levels of affluence—will continue to need milk. I recommend that it be made available to them through a permanent, separate, and independent Special Milk Program for Children financed at a level consistent with the steadily increasing number of its beneficiaries. This can be accomplished by giving favorable consideration to H.R. 12805, the "Children's Special Milk Act," which I introduced on February 14.



An appropriation of \$115,000,000 is needed to adequately carry out the Program in fiscal 1967. I urge the Committee to authorize that amount and to authorize a \$5 million increase for each succeeding year of the program's operation.

Mr. Chairman, on March 21 I appeared before the Agriculture Subcommittee of the House Appropriations Committee to oppose the proposed cut in the funds for the Special Milk Program for Children. On May 21, I gave a similar statement before the Senate Agriculture Committee's Subcommittee on Agricultural Production, Marketing, and Stabilization. At this point, I ask that my testimony before those Committees be incorporated into the record.

STATEMENT OF CONGRESSMAN LYNN E. STALBAUM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN; BEFORE SENATE AGRICULTURE COMMITTEE'S SUBCOMMITTEE ON AGRICULTURAL PRODUCTION, MARKETING, AND STABILIZATION OF PRICES, MAY 12, 1966

Nothing during this, my first term in Congress, has evidenced as wide-spread support as the School Milk Program. For several weeks, speeches appeared almost daily in the CONGRESSIONAL RECORD by Congressmen from urban as well as rural districts, strongly supporting the School Milk Program.

In 1965 nearly three billion half pints of milk were consumed under the School Milk Program in approximately 92,000 schools and child care institutions. Seventy thousand of these units also had a School Lunch Program and consumed about an equivalent amount of milk, that is, three billion half pints.

On February 18, Mr. S. R. Smith, Administrator of the Consumer and Marketing Service of the Department of Agriculture, was questioned by me on the cut in consumption of milk if we were to pass the Child Nutrition Act. The following is taken from the transcript of our exchange:

"Mr. SMITH. They estimate that on a \$21 million budget, we would have about a third falloff in the consumption of milk under the school milk program.

"Mr. STALBAUM. Which is a billion half pints.

"Mr. SMITH. A third is a billion, or about 500 million pounds.

"Mr. STALBAUM. In other words, you believe that this would reduce the consumption of milk in the schools about a billion half pints?

"Mr. SMITH. That is about the best calculation of the analysts that have dug into it, Congressman."

A loss of sales of 500 million pounds of fluid milk by the American dairy farmers is a substantial loss. More serious, however, is the nutritive loss incurred by American children who do not consume that one-half a billion pounds of milk which they had previously been doing.

The United States already ranks 16th in per capita of consumption in dairy products among the 17 major milk producing countries. Only the people of Italy use less. Why now should we turn toward a method of reducing this consumption further? Those who have followed the School Milk Program are well aware of the benefits it has brought. This milk has been good for the children. It has given them nutrition without stigma, and insofar as they were willing to participate, has made them healthier Americans.

Most serious, however, is the change which some have contemplated in the School Milk Program so that Federal funds will be used only to provide milk for the needy, with others paying the full costs of any milk that they would be obliged to consume. This raises a host of questions, particularly as to the determination of those who would be needy, and, therefore, eligible. The only conclusion one can finally reach is that this decision, if it is to be at all objective, can only be determined through a means test of some sort. As one observer succinctly stated, "Children would be forced to swallow their pride before they would be able to swallow any milk."

Seriously, I ask each of the Members of this Committee to ponder for a moment, if they were a school administrator, a teacher, or a counsellor, how they would impose this type of means test. Would they try to guess at which children came from poor families? Would they quietly call each one into their office and ask some embarrassing questions? Would they ask each child to stand up in the classroom and raise his or her hand if the parents had an income under a certain specified amount? Would whatever procedure is followed have to be held accountable to the officials from Washington? And this last question as to the accountability puts in sharp perspective the contrast between what is now proposed and what we have had operating since 1954.

The surest way to avoid the problems which would be involved in a change to a means test is to make the existing School Milk Program a permanent one, as is proposed in the bill before the Committee today.

The present School Milk Program is about as free of red tape as any such program could hope to be. There is no arbitrary imposition on the children of a dietary requirement. There are also no restrictions on the schools as to whether the milk is served as a mid-morning snack, an afternoon lunch, or if it is as an added available item with the noon hot lunch served under the School Lunch Program. No tests are required of the children as to their ability to pay. If they wish to participate, they merely bring in their few pennies and pay the difference between the school cost of the milk and that portion which is paid by government subsidy. Each school, is, therefore, free to make its own determination as to how it wishes to participate in the program. Each child is free to determine if he or she wants to participate in the program.

And from this rather relaxed approach, we have developed a method of encouraging our school children to drink three billion half pints of milk a year, which perhaps otherwise would not have been consumed at all.

The WASHINGTON POST summed up this matter well in an editorial printed on February 4: "The milk and the lunches served a better purpose all these years than merely keeping up farm prices. They were good for children, and the children continued to need them . . . There is a category of subsidies, in which the unit costs are low and the benefits broad, which are properly distributed without a means test. This country can afford to encourage nourishing diets for its school children, even in a year when dairy prices no longer require that support."

Problems arise in the administration of programs of this type when there is no assurance of continuity. School administrators have expressed to me their concern over the purchase of capital equipment for the School Milk Program if there is a possibility that it could be discontinued.

Mr. Chairman, the School Milk Program because of its success has gained almost universal acceptance. Its benefits are great: and to change, eliminate, or modify the Program would void the advantages which are being enjoyed by our school children today. Therefore, I support the legislation before you to make the School Milk Program a permanent one, with Federal financing continued at the same per-unit level as provided in the past.

The CHAIRMAN. The Chair now recognizes Congressman B. F. Sisk, who desires to make a statement.

#### STATEMENT OF HON. B. F. SISK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Sisk. Mr. Chairman, I appreciate the opportunity to appear in support of my bill, H.R. 12806, and similar bills, before your committee today to extend permanent authorization for the special milk program for children.

I am going to be brief, because I know that all members of this committee are as familiar as I am with the success and general approval of this program throughout this country and I do not think I need belabor you with a lot of facts and arguments you already have heard.

I would like to direct your attention to some points that are significant to me. You all know we have a lot of new programs providing assistance and benefits for a lot of people. You know many of them are controversial and all of us receive complaints from our constituents about some of them. In contrast, I cannot remember a single adverse criticism of the special milk program. My correspondence shows overwhelming approval of it by all segments of the population. The public wants it and accepts it and I think we should take the opportunity of continuing a program the people want.

You also have before you the proposed Child Nutrition Act. Now, I have no quarrel with the purposes of this proposal. I support them. As I understand it, this act would provide milk and other



nutritional essentials to poor children. Who can quarrel with that? But I do not think this country needs or should or will take milk away from other children to supply it to the needy. I don't think there should be any conflict between the child nutrition program and the special milk program and I urge that your committee consider adding the essentials of the child nutrition program to the already operating and successful special milk program, rather than to eliminate the special milk program and only partially replace it with the nutrition program.

The big question to be answered by you gentlemen is: How much essential milk is going to be served to how many children in this country? If the special milk program and milk provisions of the school lunch program are reduced as is proposed, the answer is plain and simple: several million school children in the United States are not going to drink in their schools milk which would cost approximately \$85 million next year and in succeeding years. This is the difference. That is the proposed difference between the cost of milk for the current program and the reduced amount under the Child Nutrition Act. While it would help needy children, who should be helped, it would take \$85 million worth of milk away from other children, and that, in my book, is not a way to cure the nutritional deficiencies of our children or of our country.

I also ask that you note that this is no way to cure the ills of our dairy industry, which probably is suffering more serious financial problems today than any other segment of agriculture. In some areas, school lunch purchases provide up to 25 percent of the fluid milk market. Dairymen, many of them, are teetering on the edge of bankruptcy. They are achieving a precarious balance of supply and demand. Disruption of the school milk program would gravely reduce markets and drive them to the wall. It would be as perilous to the economy of the industry as it would to the nutrition and health of our children. Why in the world take such a step? Why discard a good, successful and accepted program? Why experiment needlessly with the health and well-being of our children, and why impose on our schools the almost impossible task of trying to put together makeshift substitutes which neither the schools or a majority of families can afford.

To me the answer is clear. Above all, continue and expand the school milk program to meet growing population needs. Don't tinker with them in untried experiments. I sincerely hope you will see it that way.

The CHAIRMAN. Thank you very much, Mr. Sisk.

Mr. SISK. Thank you.

(The following letter was submitted by Mr. Sisk:)

CALIFORNIA FARMER-CONSUMER INFORMATION COMMITTEE,  
*Santa Clara, Calif., June 22, 1966.*

In Support of H.R. 12806 (Sisk), H.R. 13888 (Tunney), both of California; and similar bills to extend and make permanent the Special Milk Program, and for addition of such extension to include breakfasts served by participating non-profit schools and institutions included in the "Children's Special Milk Act", provided, the participating non-profit schools and institutions operating the programs shall be the sole determinants of the cost of such food to participating children and there be no physical segregation of or other



discrimination against any child because of the inability of his family to pay all or a portion of the cost of food served.

HON. HAROLD D. COOLEY,  
*Chairman, House Committee on Agriculture, House Office Building, Washington, D.C., and Members of the Committee on Agriculture:*

Our Committee, the California Farmer-Consumer Information Committee, representing the unanimous action of more than a quarter of a million farmer, cooperative, consumer, labor, professional and church bodies, re-affirmed at our June 18th annual meeting, University of Santa Clara, Santa Clara, California, its support for measures before you to make permanent the special milk program for children, cited as the "Children's Special Milk Act", H.R. 12806, Rep. B.F. Sisk, 16th District, California and H.R. 13888, John V. Tunney, 38th District, California, and similar bills introduced by Congressmen from the various states.

Having successfully saved the existing school milk program from obliteration due to proposed disastrous cuts in the budget for the coming school year, a campaign in which the entire state of California and every Member of Congress from California participated, we must make doubly sure that this basic nutritional policy is secure, and with no less than the \$110,000,000 appropriated for the fiscal year ending June 30, 1967; "not less than \$115,000,000 for the fiscal year ending June 30, 1968; and for the fiscal year ending June 30, 1969, and each succeeding fiscal year thereafter, not less than \$120,000,000." (Sec. 4, H.R. 12806, Sisk).

The "Children's Special Milk Act" has many impacts. Primarily assuring our future citizens a nutritional foundation improving general health, teeth, and mental alertness; it establishes food habits in childhood essential to overcome pressures in advertising, radio and television to substitute non-nutritious and often harmful food products for scientifically established essentials to diet and growth.

An equally important factor is that of making known to dairymen, processors and distributors, the almost exact amount of fluid milk which must be available in every county in the United States for the use of children to be served by the School Milk Program. It is estimated that 5% of all fluid milk produced in the nation is presently distributed through the existing School Milk and School Lunch Programs.

Under the expanded uses of the "Children's Special Milk Act", much more than 5% will be required.

Bearing in mind, as documented on page 6 of Report No. 1446, Mr. Whitten, to accompany H.R. 14596, which restored the appropriations cut from the Budget for the School Milk and School Lunch Programs, that: "the supply of dairy products on hand is now at the lowest point in recent years; \* \* \* that "The supply is expected to reduce further to 3,200 million pounds at the end of the present marketing year, a reduction of 2,100 million pounds". And that "This represents only about a 1/3 month's supply for normal domestic purposes \* \* \*" and noting, as stated in the June 17, 1966 issue of "News for Dairy Co-ops", that "May milk production continued its downward spiral, 4% down from May of last year. \* \* \*"

The enactment of the "Children's Special Milk Act" should stimulate efforts of the United States government, of the states and of the industry, to make sure that the dairymen receive a sufficient return for their investment, production costs and labor to continue in business, so that the growing needs of consumers, including our school children, may be met.

Thus, an added economic purpose in improving the returns to dairymen, processors, distributors, and the tax base for counties, states and the nation, may be achieved.

At the February 21st meeting of the California State Board of Agriculture, which urged that Congress enact H.R. 12806, data was submitted by James M. Hemphill, Supervisor, School Lunch Program, as to the number of California schools operating the "Special Milk Program", the number of half-pints of milk served under that program and the percentage increase over 1964 in half pints of milk served. The information, for October 1965, when contracts for the program were executed by the schools is as follows:

Number of schools serving special milk-----	2, 981
Number of half pints of milk served-----	18, 638, 255
Total daily half-pints: October 1965-----	2, 510, 480
Total daily half-pints: October 1964-----	2, 454, 149

Percent increase, 9.8 percent.

The continued increase in population in California; the construction of new schools to meet the needs of more children; and the increased use of the Special

School Milk Program as its advantages became more widely understood, make it imperative that the program be made permanent with adequate appropriations, as defined in H.R. 12806 and companion bills. As stated in the opening paragraphs of this statement, our Committee likewise supports expansion of the program to include school breakfasts with the safeguard that there be no separation of children participating in the program based on family economic differences.

As noted on our letterhead, the Consolidated Milk Producers for San Francisco, the Associated Dairymen, and the Western Dairymen's Association are affiliates of our Committee, all of them favoring a permanent School Milk Program.

Mrs. GRACE McDONALD,  
*Executive Secretary.*

The CHAIRMAN. The Chair now recognizes Congressman Melvin R. Laird. You may proceed Mr. Laird.

**STATEMENT OF HON. MELVIN R. LAIRD, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. LAIRD. Mr. Chairman, I appreciate this opportunity to appear before your committee to express my support for the special milk program for children as embodied in my bill H.R. 12863.

It is probable that no other program operated by the U.S. Department of Agriculture, or for that matter any other Federal program, has met with such overwhelming success and support as has the special milk program for children. Since its inception in 1954, the program has grown to the point where in 1965 children in over 92,000 schools, child-care institutions, and summer camps consumed nearly 3 billion half pints of fresh and wholesome fluid milk. In my own State of Wisconsin over 106 million half pints of milk were consumed by children in 3,635 schools and child-care institutions in 1965.

Mr. Chairman, I ask that three tables supporting these figures and a copy of H.R. 12863<sup>1</sup> be inserted in the hearing record at the conclusion of my remarks.

While the legislative history of the special milk program indicates that, when the Congress enacted the program in 1954, it was aimed primarily at bringing about a balance between an overabundant supply of milk and the demand and, although this surplus disposal aspect is sometimes a conveniently expressed reason for continuing the program, there can be little doubt that the principal objective of the special milk program for children is now the tremendous nutritional benefits that result from the improved diets of children participating in this program.

Since the power base of the special milk program is made up of the millions of American children who benefit from it, it is not difficult to see why the unwise request on the part of the administration for an 80 percent budget cut in the special milk program for children was the subject of such widespread criticism and ridicule. It is likely that no other single domestic administration proposal received such overwhelming criticism from members of the general public including housewives, children, educators, farmers, and many Members of Congress. It is noteworthy that the House Committee on Appropriations has restored the budget of the special milk program for children from the administration request of \$21 million to \$103 million. Moreover, the resolution adopted by the House Committee on Agriculture was a further expression by the Congress of the disapproval of this administration proposal.

<sup>1</sup> The text of Mr. Laird's bill, H.R. 12863 may be found on p. 11.



The administration proposal, had it been approved, would have almost completely eliminated the special milk program for children. That proposal requiring that only needy children receive milk coupled with the onerous means test that would have been imposed on all children was unjustifiable as far as the administration budget request for the fiscal year ending June 30, 1967, was concerned and is just as unjustified as far as title II of the Child Nutrition Act of 1966 is concerned.

In my view, title II of the Child Nutrition Act is completely objectionable. The special milk program for children it seems to me, should be considered by the Congress, as in the past, as a separate and independently successful program. If this committee does substitute H.R. 12863 or similar proposals for the existing provisions of title II of the Child Nutrition Act, it should be made crystal clear that the special milk program for children is and will remain separate from other nutrition programs so that there is no chance that the Department of Agriculture can consolidate the funds for the special milk program for children with funds of other programs. I would urge, however, that the special milk program for children be kept separate from other nutrition programs since this would facilitate program accountability and administration.

The provisions of my bill—H.R. 12863—do not substantially change the existing special milk program for children, but do make some needed improvements. My bill would make the program a permanent one. It seems unreasonable that a program as important as is this one, should be operated on a temporary or short-term basis. The health and dietary needs of American children are permanent and so should be the special milk program for children. The existing authority for the special milk program expires on June 30, 1967. While it seems likely that the Congress will appropriate at least \$103 million instead of the \$21 million requested by the administration, it is important that the Congress take action now to enact legislation such as H.R. 12863 this session so that the program now in operation is not allowed to expire. The program is most successful when participating schools are given enough time to determine the extent of their participation. Allowing the program to expire this year, and waiting until the next session of Congress to continue it could seriously retard and hamper the growth of the program.

A second revision which my bill makes in the existing program is to provide the Secretary of Agriculture with the authority to reallocate program funds when it appears that a State educational agency will not be able to fully utilize funds it has been allocated. Such a provision will provide for maximum use of program funds.

The final and most important provision of my bill is the authorization for appropriations for fiscal 1967 of \$110 million; fiscal 1968 of \$115 million; and, fiscal year 1969 and each succeeding fiscal year thereafter of \$120 million. Although the House Appropriations Committee has restored the budget to \$103 million, which is the same level as was appropriated for the fiscal year ending June 30, 1967, it is important that we realize that this is not sufficient to provide adequate reimbursements to schools and child care institutions now participating in the program. Since more children in more participating outlets are consuming fluid milk under the program, the present level of funds is insufficient. In fact, since participating outlets have



been reimbursed at the rate of 90 cents on the dollar for most of the fiscal year ending June 30, 1966, nonparticipating schools on extremely limited budgets have been discouraged from joining the program. Consequently, it is vitally important to the children of our country that the Children's Special Milk Act as embodied in H.R. 12863 be enacted.

*Special milk—Average reimbursement rate per half pint, half pints reimbursed annually, and participating outlets, fiscal years 1955-65*

	Average reimbursement rate per half pint	Half pints reimbursed annually	Participating outlets
Fiscal year—	<i>Cents per half pint</i>	<i>Millions</i>	<i>Number</i>
1955.....	3.83	449.8	41,094
1956.....	3.29	1,394.2	62,266
1957.....	3.45	1,752.7	71,239
1958.....	3.46	1,918.2	76,478
1959.....	3.41	2,176.2	81,587
1960.....	3.37	2,384.7	83,922
1961.....	3.39	2,476.7	86,494
1962.....	3.37	2,631.0	88,188
1963.....	3.38	2,765.6	90,486
1964.....	3.39	2,929.0	91,890
1965.....	3.28	2,966.8	92,005

*School milk program—Number of outlets participating, number of half pints reimbursed, and obligations by States, 1964-65*

State	Number of outlets participating		Estimated number half pints milk reimbursed (in millions)		Obligations (in thousands)	
	1964	1965	1964	1965	1964	1965
Alabama.....	1,504	1,726	43.6	44.8	\$1,454	\$1,448
Alaska.....	69	78	1.2	1.4	33	40
Arizona.....	596	601	18.1	17.3	545	519
Arkansas.....	1,132	1,114	34.1	33.2	1,306	1,226
California.....	7,325	7,591	279.7	286.5	9,040	9,090
Colorado.....	1,197	1,200	27.6	26.9	937	901
Connecticut.....	1,188	1,276	47.4	50.4	1,586	1,515
Delaware.....	201	206	9.3	9.8	326	328
District of Columbia.....	210	218	18.9	19.1	603	616
Florida.....	1,760	1,589	51.3	58.3	1,292	1,456
Georgia.....	1,825	1,813	33.5	35.5	1,139	1,196
Hawaii.....	223	227	5.4	5.3	184	174
Idaho.....	525	600	6.9	7.1	229	225
Illinois.....	4,823	4,633	194.8	197.8	6,746	6,709
Indiana.....	2,328	2,418	70.0	76.6	2,501	2,632
Iowa.....	2,276	2,249	52.7	53.0	1,945	1,904
Kansas.....	1,260	1,285	34.9	34.9	1,160	1,131
Kentucky.....	1,834	1,639	51.2	50.9	1,919	1,880
Louisiana.....	1,194	1,225	19.1	19.3	725	711
Maine.....	882	873	14.0	14.0	478	464
Maryland.....	1,373	1,437	61.4	64.1	2,149	2,177
Massachusetts.....	2,922	2,944	108.6	107.6	3,475	3,388
Michigan.....	4,733	4,660	169.4	170.1	5,809	5,706
Minnesota.....	2,779	2,841	76.2	77.3	2,786	2,710
Mississippi.....	1,056	1,057	38.3	39.0	1,490	1,476
Missouri.....	3,082	2,984	82.8	61.7	3,052	2,208
Montana.....	448	448	6.1	6.0	206	198
Nebraska.....	945	992	18.8	19.8	646	672
Nevada.....	190	196	4.0	4.4	107	122
New Hampshire.....	498	515	12.5	13.0	417	424
New Jersey.....	2,285	2,327	100.5	108.1	3,366	3,615
New Mexico.....	652	673	28.3	28.2	778	745
New York.....	5,843	6,021	276.5	277.2	9,720	9,602
North Carolina.....	2,252	2,066	61.6	64.2	2,089	2,244
North Dakota.....	551	549	10.9	11.0	387	391
Ohio.....	4,420	4,572	194.3	195.5	6,184	6,306
Oklahoma.....	1,458	1,445	34.6	35.4	1,119	1,058
Oregon.....	1,232	1,284	19.9	19.4	576	534
Pennsylvania.....	5,080	4,855	149.8	158.2	4,763	4,786
Rhode Island.....	377	368	13.5	12.9	423	416
South Carolina.....	1,183	1,192	22.6	22.4	764	745
South Dakota.....	668	659	14.0	14.3	433	430
Tennessee.....	2,226	2,157	63.2	62.6	2,141	2,071
Texas.....	3,666	3,683	110.1	110.2	3,895	3,810
Utah.....	511	552	10.2	10.9	364	378
Vermont.....	427	415	6.4	6.5	204	202
Virginia.....	1,769	1,788	51.9	53.1	1,719	1,691
Washington.....	1,711	1,748	45.1	45.2	1,580	1,490
West Virginia.....	1,108	1,067	15.5	16.5	558	589
Wisconsin.....	3,765	3,635	104.7	106.3	3,680	3,651
Wyoming.....	328	314	3.6	3.6	136	129
Total.....	91,890	92,005	2,929.0	2,966.8	99,164	98,109

*Wisconsin—Special milk program for children, number of outlets participating, number of half pints reimbursed, and obligations, 1955-65*

	Number of outlets participating	Estimated number half pints reimbursed (in millions)	Obligations (in thousands)
Fiscal year:			
1955.....	2,495	25.5	\$969
1956.....	3,846	60.6	2,085
1957.....	4,271	69.3	2,370
1958.....	4,385	74.6	2,504
1959.....	4,600	80.8	2,744
1960.....	4,608	87.2	2,965
1961.....	4,544	92.0	3,178
1962.....	4,297	98.2	3,372
1963.....	3,927	100.3	3,516
1964.....	3,765	104.7	3,680
1965.....	3,635	106.3	3,651

Source: U.S. Department of Agriculture.

The CHAIRMAN. We have several more witnesses listed to be heard. There is a rolcall going on in the House at the moment. We will have to recess, and will recess now to meet tomorrow morning at 10 o'clock.

(Whereupon, at 12:30 p.m., a recess was taken until 10 a.m., Friday, June 24, 1966.)





# CHILD NUTRITION ACT AND SPECIAL MILK PROGRAM FOR CHILDREN

FRIDAY, JUNE 24, 1966

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
*Washington, D.C.*

The committee met at 10 a.m. in room 1301, Longworth House Office Building, Hon. W. R. Poage (acting chairman) presiding.

Present: Representatives Poage (presiding), Abernethy, Hagen of California, O'Neal, de la Garza, Vigorito, Greigg, Belcher, Teague of California, and Dole.

Also present: Christine S. Gallagher, clerk; John J. Heimbürger, general counsel; Hyde H. Murray, assistant clerk; and Fowler West, Staff assistant.

Mr. POAGE. The committee will please come to order.

I have been requested to ask to insert statements in the record from Congressman William L. St. Onge, Congressman Teno Roncalio, Mr. Harry L. Graham, legislative representative of the National Grange; Gordon W. Gunderson, chairman of the National Legislative Committee of the American School Food Service Association for Child Nutrition; a letter from Rodney A. Ashby, administrator of School Food Services in the State of Utah, to Congressman David S. King; a statement by Congressman Vernon W. Thomson; a statement by Congresswoman Patsy T. Mink; a statement by Mr. Tony T. Dechant, president of the National Farmers Union.

Without objection, these statements will be made part of the record. (The statements follow:)

## STATEMENT OF HON. WILLIAM L. ST. ONGE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CONNECTICUT

Mr. Chairman and members of the committee, I appreciate this opportunity to present my views to this distinguished Committee on legislation concerning the school milk program, and specifically my bill, H.R. 13489, to establish this program on a permanent basis.

Sacrifice without gain will be the result of a cut in the school milk program.

In the area of school lunch programs, significant strides have been made during the last two decades. The \$103 million allocated to the Federal Milk Program for the current fiscal year reflects this progress. At a time when this program has taken on immeasurable importance, I believe that an increase rather than a decrease in this program is imperative. My belief is based on the fact that we must keep abreast of the exigencies of our youth, particularly those reared in poorer families.

The welfare of our children stands out as a major challenge deserving our utmost attention. All available resources of this nation must be utilized to alleviate the problems confronting our youth. There can be no question that the health of our school-aged children cannot be underemphasized. One's physical well-being is not only important for its own sake, but is also a requisite for a child to improve and maintain his learning capacities. Similarly, there is no question that Federal

grants are among the most important means of assuring a well-balanced, nutritious meal each school day to all children, whether in nursery school, elementary or high school, settlement houses or summer camps. As one educator pointed out:

Many children in the Nation's schools receive one good meal a day and that is provided by the Hot Lunch programs.

Milk in particular is a requisite element of a good diet.

It is obvious, however, that the daily milk needs of many of our school children cannot be met by themselves or their parents because of their financial difficulties. Furthermore, due to rising costs and increasing burdens on their own budgets, local school districts cannot compensate for these difficulties and adequately subsidize their own programs.

The response of educators to the Department of Agriculture's proposed 80% cut in the Federal milk program attest to the necessity of increasing, not decreasing, the allocation to this program, and the injurious affects if such a decrease becomes an actuality.

The reason advanced by the Department of Agriculture for such a cut allegedly will not impair the goals of the program, yet this reasoning is indeed fallacious. The Department maintains that under the present Act the funds for such program are not channeled to needy areas, rather they are arbitrarily disbursed to many school districts which are themselves capable of adequately subsidizing their own lunch programs. Thus a cut accompanied by a priority system of allocation will satisfy the programs goals. This argument is obviously erroneous for even if funds were more carefully allocated the figure of \$103 million would not be excessive. To adequately fulfill the program more funds are needed.

My bill, H.R. 13489, and other similar bills, recognize in part the merits of the Department of Agriculture's system of priorities. The bill provides that the Secretary of Agriculture is permitted to reallocate funds where "the Secretary shall determine" the funds "will not be fully utilized." However, the bill rightfully provides for a gradual increase in the budget of this program; not less than \$110 million for fiscal year 1967 with further increases for 1968 and 1969, and each succeeding year.

Furthermore, the proposed cut is unfounded when the benefits of the program are weighed against the utility of such funds, if applied elsewhere. When considered in light of the entire Federal budget, the amount which the Department of Agriculture proposes to cut from the program is trivial compared with the benefits of such program which are substantial.

The proposed 80% reduction in the milk fund will serve no useful purpose, while the results of such a cut will only serve to impair the health of our youngsters, reduce their effectiveness in learning and decrease the deficiency of our school system. For these reasons, passage of H.R. 13489 or other similar legislation cited as the "Children's Special Milk Act" is imperative. I strongly urge this Committee to seriously consider these reasons and to act favorably on my bill or a similar bill to establish the school milk program on a permanent basis with an adequate annual budget to meet the needs of our growing population.

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STATEMENT OF HON. TENO RONCALIO, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF WYOMING

Mr. Chairman, I am grateful to you for this opportunity to testify on behalf of my bill, H.R. 14287, the Children's Special Milk Act of 1966. Of the many programs designed to promote the general welfare, few have the enthusiastic support and approval enjoyed by the school milk program. From its conception a generation ago with 6 million children participating, the program has been enlarged to over 18 million students.

The national school lunch programs is one of the largest non-profit businesses, operating with annual expenditures in excess of \$1.5 billion a year. Federal contributions account for slightly more than 20 per cent of this total.

This growth demonstrates the effectiveness and worth of this program, a growth that must be nurtured not for the sake of its size or age, but because it is a truly vital and necessary service to the youth of our nation.

In my own state of Wyoming, the program has been very well received. In fiscal 1965, milk was served in 314 Wyoming schools with 3.6 million half-pints served over and above the five million included in the lunch program. Wyoming received \$129,000 from the federal government to carry out this service.

When the budget proposals called for serious reductions in appropriations, I objected on the basis that the cost of the program is small when it is considered



an investment in the health of our nation's youth. Without this service, the cost of milk would double in many cases forcing some families to remove their children from the programs.

In addition to the personal hardship, there are economic factors, for the milk program creates and develops a market for dairy products. The milk program supplements the dairy price support program because markets are provided for government purchased milk. Otherwise the Commodity Credit Corporation would have to buy and store dairy surpluses at almost the cost of the whole school milk program.

I was pleased to work for restoration of appropriations in the general agriculture bill, however, I believe this program deserves some secure place in the operations of our government. This security can be obtained through this bill which would make the program permanent.

The legislation will authorize the Secretary of Agriculture to encourage consumption of milk by children and provide appropriations to carry out this objective.

At a time when school enrollment is increasing, when the American people are taking positive steps to combat poverty here at home and to assist in the elimination of hunger among those friendly nations who desire progress, it is imperative that this worthy program be continued in an orderly and secure fashion. Thank you.

STATEMENT OF HARRY L. GRAHAM, LEGISLATIVE REPRESENTATIVE, NATIONAL GRANGE

The National Grange is pleased to lend its support to the Child Nutrition Act of 1966 to extend the National School Lunch Program. Statistics show that one million more children of low-income families would be entitled to a free or reduced-price meal if it were available. This Act would reduce the problem by providing—

(1) assistance to schools that cannot finance all the free or reduced-price meals that should be served;

(2) funds to purchase equipment and facilities for food storage and preparation to those schools which cannot afford to do so themselves; and

(3) the same assistance for children from low-income families attending summer schools, child-care centers, summer camps, summer playground activities and neighborhood houses as is available during the regular school year.

As we have previously stated, it is our judgment that these programs are primarily consumer services, and therefore, should not properly be charged to agriculture. However, such programs have been under the Department of Agriculture's jurisdiction and have served to stimulate market development. Therefore the Grange has been pleased to support them.

Realizing that a healthy nation is a strong nation, we urge your support of this additional measure.

STATEMENT OF GORDON W. GUNDERSON, CHAIRMAN OF THE LEGISLATIVE COMMITTEE OF THE AMERICAN SCHOOL FOOD SERVICE ASSOCIATION

Mr. Chairman and Members of the Committee, I am here today representing the more than 48,000 members of the American School Food Service Association which includes the directors of the state agencies responsible for the administration of the School Lunch and Special Milk Programs throughout the Nation. We are grateful to you for granting us an opportunity to express our views concerning Bill No. H.R. 13361.

The American School Food Service Association reaffirms its support of the intents and purposes of the National School Lunch and Special Milk Programs. We wish to again commend the Congress for initiating these programs and supporting them over their many years of growth and development. The National School Lunch Program has reached its twentieth anniversary, and the Special Milk Program has attained its position of prominence after having demonstrated its excellence over twelve years of unprecedented growth.

We are deeply appreciative of the interest of the Administration and the Congress in extending, expanding, and strengthening the efforts and contributions of these basic programs to even more fully meet the nutritional needs of the children of our Nation.

As the Congress deliberates upon legislation to achieve this goal, the American School Food Service Association respectfully wishes to submit for consideration

its observations and recommendations concerning the proposals expressed in Bill No. H.R. 13361.

In any proposed legislation for the expansion of school food service programs we respectfully recommend that the National School Lunch Act, as amended, be retained as the basic legislation.

The participation in the School Lunch Program by more than 36 percent of the Nation's school children in the past year attests to the wisdom of the Congress in establishing this program now having completed its twentieth year of operation. The technical knowledge it has gained in food and nutrition; the vast stores of experience and resources it has accumulated; the well-established lines of administration and communication through state educational agencies which it has accomplished, and the esteem with which it is regarded in the minds of the people would logically qualify the School Lunch Program and its legislative authority as the cornerstone upon which any expansion or extension of child nutrition programs might be securely built.

Created under separate Act of Congress twelve years ago, the Special Milk Program has been a constant companion and supplement to the lunch program. Although it was begun in 1954 as a surplus removal program, it has long been recognized as a nutrition program in the Nation's schools.

The selection of schools for participation in this program as proposed in Section 203, Title II of the Child Nutrition Act, would be tantamount to its termination. Non-participating schools have had ample opportunity over the past several years to participate in the milk program and to be reimbursed for the milk served. Section 215.7(f) of the Secretary's Regulations authorizes reimbursement to schools for milk served without charge to needy children at a rate equal to the cost of the milk to the schools. It is not required that the "needy school" participate in the lunch program in order to qualify for such special rate of reimbursement. Therefore, we can see no reason for anticipating any significant expansion of the program to children in schools not now participating by denying reimbursement to schools having a food service. All of the schools which have been serving lunches in the past several years also have a number of needy pupils who can benefit from the additional milk but who cannot afford to pay for it. Subsidizing only the milk served to the needy in such schools would, in our opinion, be administratively unacceptable and discriminatory as far as the children would be concerned.

The grants-in-aid to assist states in starting breakfast programs and for non-food assistance for acquisition of facilities to establish, maintain, and expand food service programs in schools drawing attendance from areas in which poor economic conditions exist as proposed in Title III and Title V will bring about improved nutrition for untold thousands of children whose dietary needs are not now being met. Title V is much-needed legislation and support for all titles of the Act.

We recommend that Title IV be termed "Special Food Service Assistance for Children in Non-School Programs," and that the apportionment of funds among the states be based upon the "assistance need rate" as provided in Sec. 601(f) of Title VI and the number of children of ages 5 through 17 years.

The urgent need for augmenting state staffs is almost universal. The proposal under Sec. 605, Title VI, of the Act to utilize a small portion of the appropriation to help state educational agencies meet expenses in administration of the programs will be of significant help in strengthening each state's school food service staff in order that additional technical assistance may be given to schools in starting the new programs and in meeting the many diverse challenges of school food services.

Although we understand the intents and purposes of Sec 606, Title VI, we respectfully recommend the addition of a provision which would prohibit the duplication of assistance to such programs from federal sources in utilizing funds appropriated under the provisions of the Child Nutrition Act.

Again, I want to thank you, Mr. Chairman, for granting us an opportunity to be heard.



STATE OF UTAH,  
DEPARTMENT OF PUBLIC INSTRUCTION,  
DIVISION OF SCHOOL FOOD SERVICES,  
Salt Lake City, Utah, May 31, 1966.

HON. DAVID S. KING,  
*House of Representatives,*  
*Washington, D.C.*

DEAR MR. KING: We are quite concerned, and not a little confused with the prospects for School Food Services in 1966-67. The Department of Agriculture is continually pushing for the implementation of the "Child Nutrition Act." After some careful analysis of current operations and the prospects outlined in the "Child Nutrition Act for 1966," we feel that the existing National School Lunch Act, with a very few amendments, could accomplish the same goals as proposed in the "Child Nutrition Act." In addition, the few amendments to the present act would be much more amenable in our state and would accomplish a great deal more than we believe could be accomplished through implementation of a total new program, as outlined in the proposed H.R. 13361.

As examples, we cite Section V of the present National School Lunch Act, if fully implemented, would provide the same non-food assistance as found in Title V of the Nutrition Bill. It appears to us that funds which are proposed for a breakfast program on a limited pilot or experimental program basis would divert funds from the School Lunch Program as we now know it, for a program which it is questionable would be as far-reaching in its advantageous effect on the children in Utah as would be the extension of the current School Lunch Program. The same situation exists as pertains to Section 11 of the current program. With a few amendments to this section and sufficient funding the objectives of the "Child Nutrition Act" would be achieved through this section of the current act with less effort and actually, with less money than would be required if this phase of the program were implemented in the proposed "Child Nutrition Act." Our share of the \$50 million, if added to the proposed \$2 million in Section 11 would be much more effective in Utah in achieving the objectives of the "Child Nutrition Act" than the new proposal itself.

We are in agreement with the Department of Agriculture that the National School Lunch Program has been of great benefit to the children of the nation during the past 20 years. We also agree that there is a need for strengthening and extending school and other child feeding programs in this country. Because of the success of the National School Lunch Program over the past 20 years we respectfully suggest slight revisions in the National School Lunch Act, which would provide the benefits proposed in the "Child Nutrition Act."

Our problem in Utah is that the proposed "Child Nutrition Act" earmarks funds for various programs which will not satisfy or take care of the needs of the students in the State of Utah. We do not have concentrated pockets of poverty as such under a single Board of Education, yet we have needy children in every school district in the state. We would prefer a program which would enable us to reach every needy child in the 40 school districts, regardless of where they reside. Regulations governing the "Child Nutrition Act" could easily restrict the funds for Utah for this purpose. Needy children are enrolled in all school districts and for the past 20 years we have expanded the program to include practically every school in every school district in the State of Utah, with the exception of Salt Lake City. Through current federal programs such as Head Start and OEO Salt Lake City District appears to be showing more interest in the School Lunch Program. We hope this is true, and that programs outlined for 1966-67 will be funded and regulations will allow us to expand the program to Salt Lake City School District.

We believe our success in Utah has come from concentrating our efforts on the school lunch as a complete Type A lunch rather than expanding school feeding to include a la carte and other snack bar feeding. We are currently reaching over 50% of the children in the state, including children enrolled in Salt Lake City. We are serving more nearly 70% of those to whom the program is available. This, we think, is a fairly good record. However, we need revisions in the current law and help, particularly financial, in terms of cash and commodities, in order to expand the program to additional students who are not now participating.

Utah's participation in the limited Section 11 fund this year (\$10,600) we believe proves a point that flexibility provided in Section 11 would enable us to reach more needy children with a smaller outlay of total funds than would the program outlined in the proposed "Child Nutrition Act." Section 11 of the National



School Lunch Act would, if adequately funded, provide opportunities for our extending the program to needy children in all school districts.

With slight revisions in the current Section 11 of the National School Lunch Act, the proposed Title VI, Other Group Feeding, could be implemented to include all additional child feeding which is proposed in the new Act. Certainly extension of school feeding to younger children, and over a longer period of time, including summer programs, is a desirable objective. We urge that all child feeding be implemented in the schools, and channeled through the State Board of Education office. This would be more economical since we are already providing lunches, and have the facilities to expand the program without appreciable additional costs for buildings and/or equipment. The current procedure of providing lunches through OEO, Head Start and other programs, which are not under the specific supervision and direction of the state office is confusing. This is duplication of effort, and we believe it would be much more logical and economical for the program to be channeled through one source.

As to equipment, we have very few schools in the state that are not well equipped. However, if Salt Lake City comes into the program there would be a need for equipment providing the regulations were liberal enough to include some of their schools. I have pointed out previously, however, that the current School Lunch Law provides for equipment if this section were funded.

As to state administration funds, we could certainly use some assistance, particularly if programs are thus expanded, and if the Salt Lake City School District comes into the state plan. Here again, we believe that amendments to the current law would be much simpler than a new school lunch law with the myriad titles, sections, and regulations which will certainly be forthcoming if the "Child Nutrition Act" is enacted into law.

As has been mentioned in previous correspondence, we cannot operate a realistic program with a feast of government commodities one year, and a famine the next. We need some semblance of stability in order to plan food budgets. Utah is one of the highest users of commodities in the nation, and the dearth of commodities this year has created a hardship in our state out of proportion to that in many other states. Since 1958 the values of commodities have exceeded the federal cash reimbursement per meal nationally, and has far exceeded it in Utah.

In the budget as proposed we notice that the state and local support would be stepped up considerably. I would draw to your attention that last year the State Legislature in the State of Utah doubled the support for School Food Services, and we are not in a position to go back to the Legislature again this year for additional money. The current state support is liberal, and because of the fact that it came at a very opportune time, we have been able to keep the program intact this year, whereas, without the additional state support we would have been in real trouble, because the commodities were so sparse during the current school year. State cash support of the program in Utah is substantially greater than the federal cash apportionment to the state. This is in addition to contributions at the local district level, which is substantial.

It is our contention, therefore, that the "Child Nutrition Act of 1966" would be more difficult and cumbersome to administer and would be restrictive in our state because of so many earmarked funds specifically for areas of concentration of poverty, instead of allowing for expansion of the present program to all needy children, regardless of where they reside, or in which school or district they are enrolled.

In considering legislation for the coming year, we trust that you will keep in mind the effects that innovations will have in the State of Utah, where we operate on a district consolidated basis. We welcome the opportunity to exchange views on proposed program improvements with you. Our people all over the state from whom you have heard are appreciative of your interest and support.

Kindest personal regards, and again our appreciation from the State of Utah.

Sincerely yours,

RODNEY A. ASHBY,  
*Administrator, School Food Services.*

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STATEMENT OF HON. VERNON W. THOMSON, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF WISCONSIN

Mr. Chairman, I appear here today in support of my bill, H.R. 12854, which proposes to make the special milk program for children permanent.

Federal assistance in furnishing milk to children in schools, child care centers and institutions has the overwhelming approval of a vast majority of the people who we represent.

My bill would continue the special milk program as it is presently administered. I do not propose to introduce a "means test" as is proposed in bill H.R. 13361 offered by the Administration.

I do not subscribe to the idea that in furnishing milk to our children we discriminate between them on the basis of family income or other distinguishing factors. I am sure school administrators would not want to discriminate between children in administering the program.

The special milk program has been effective in three respects: (a) It has provided a market for milk, thus aiding the hard pressed dairy farmer. (b) It has increased health standards. (c) It has provided for new milk consumers and keeps old ones as consumers because they have become accustomed to drinking milk.

There are definite advantages to making the special school milk program permanent. Public resentment over the President's proposal to cut back on funds for the program clearly shows that parents demand the milk program be made permanent.

The people responsible for formulating school and institutional budgets qualifying for the milk program will be able to plan with the certainty of knowing they will have funds to pay the cost of the milk program. This, I am sure, is a very important consideration for school administrators and school boards.

Another consideration, though not as important as those already stated, is that Congress should settle the matter once and for all and not quibble about the program every year.

I sincerely hope that the Committee on Agriculture which fully understands the value of the school milk program, its economic and health benefits, will support a permanent school milk program.

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STATEMENT OF HON. PATSY T. MINK, A REPRESENTATIVE IN CONGRESS FROM  
THE STATE OF HAWAII

Mr. Chairman, I am grateful for being given the opportunity to appear before this Committee today to testify in behalf of the Child Nutrition Act of 1966 and the Children's Milk Act of 1966.

On March 15, 1966, I introduced my bill, H.R. 13630, in response to the Administration's intention to reduce the Special Milk Program for fiscal 1967 to \$21 million from the \$103 million that was budgeted for it during the current fiscal year. This program has worked well since its inception in 1954, and I am reluctant to see it turned into a program for needy children only, thereby ignoring the benefits to the health of all the children who have been participating.

The Special Milk Program has been popular enough that over five million half-pints of milk are being consumed annually in Hawaii under its provisions. Now that the Administration has moved to re-direct this program to be one primarily for needy children, I am fearful that many youngsters who formerly received the milk at reduced rates will no longer benefit. Though I have no quarrel with the expansion of milk distribution to needy children, I believe we can afford to do both—provide milk free to those who would not otherwise get it, and also provide milk at reduced cost to those who are not stamped in the needy category. We must not lose sight of the incentive to drink milk that is offered all students, regardless of their means, when school officials push such a program as this.

The health benefits of the Special Milk Program are so important to our Nation that I would hate to see it continue to be tied to the existence of dairy surpluses, as was true when the program was initiated. I am pleased to note that the proposed Child Nutrition Act of 1966, H.R. 13361, also departs from the principle of tying milk and lunch programs to agricultural surpluses.

One feature I do find questionable in the Child Nutrition Act, however, is the allotment of funds under Title II, the Special Milk Program section of the bill. Under Title II, 50% of the funds authorized for the Special Milk Program will be apportioned among the 50 states according to relative population figures for young people between the ages of 5 and 17. This is eminently fair. However, the remaining 50% shall be set aside for the discretion of the Secretary of Agriculture to distribute during the next two years according to proven need requests submitted by States, and the Secretary's decisions for the allocation of this 50% during these two years shall then become the permanent formula for Special Milk



assistance! Thus, some school districts of the country would be placed in a permanent deprived category, regardless of population or economic shifts in the future which cannot be foretold now. How much more desirable it would be, and how much stigma it would prevent being attached to such districts and students, if this program were expanded to fill the needs of those who cannot afford milk and still serve its present vital function of encouraging widespread milk consumption by all students.

With the other features of the Child Nutrition Act, I am in substantial agreement—the providing of lunches at reduced cost or no cost to children unable to pay, breakfast programs for needy children and for children who travel a long way to school, special food service programs for youngsters in camps and daycare centers on a seasonal basis, and funds for facilities for school food service where there are none in economically depressed areas.

However, the Child Nutrition Act of 1966 contains no mention of funds to be allotted for its various titles. If indeed the Special Milk Program is maintained at full level, or higher, then I will be in total concurrence. However, any cuts in Title II, in view of the established priorities of providing milk for first, schools without food service, secondly, needy children in schools with food service, and third, schools and nonprofit institutions for all children, I am concerned lest the trickle-down to all students in the third category will in effect be the same as the Administration's earlier proposal to cut the Special Milk Program by 80 percent.

Let me reiterate to make my position clear. I am in no way against the proposals to provide breakfast, lunches, and milk to needy children in America. I will stand fully behind such legislation. But I also will oppose any cutbacks in the Special Milk Program as it has been made available to all children for the past 12 years. We are concerned here not only with economic need, but with government sponsorship of food health for our Nation's youth. How can we afford to withdraw from such a principle?

#### STATEMENT OF TONY T. DECHANT, PRESIDENT, NATIONAL FARMERS UNION

Mr. Chairman and Members of the Committee, I want to thank the Chairman and Members of the Committee for this opportunity to present the views of National Farmers Union on H.R. 13361.

The objective of this legislation is to extend the benefits of the National School Lunch Program—a goal long supported by National Farmers Union. We have testified on a number of occasions in the past concerning the need to expand the program to schools now without any kind of feeding program and to make it more effective in meeting the nutritional needs of children in schools with a program.

We are especially pleased to learn that President Johnson, through Secretary Freeman, has indicated that he will ask for a special \$42 million supplemental appropriation to finance a low price lunch program in schools serving needy areas. We understand that Section 11 of the National School Lunch Act authorizes such a program.

In order that there will be no misunderstanding as to the position of Farmers Union, we endorse H.R. 13550 introduced by Chairman Cooley with bills also introduced by Congressman Stalbaum (H.R. 12805), Congressman Olson (H.R. 12984), Congressman Resnick (H.R. 13234), and Congressman Bandstra (H.R. 13668), and other members of the Congress to extend and make permanent the Special Milk Program. We believe that the progressive increases in funds up to a \$120 million by fiscal year 1969 is needed to meet the requirements of milk of an expanded school enrollment; therefore, we urge that the provisions of H.R. 13550 be approved in whatever form the committee sees fit, as a separate bill or incorporated in the Child Nutrition Act.

In this connection we would point out that Secretary Freeman has indicated that he would not object to making the School Milk Program permanent. Our organization earlier asked Congress to enact H.R. 13550, introduced by Chairman Cooley and co-sponsored by the above Members of the Committee. We believe this program is needed and that it can be justified in terms of nutritional need of school-age children.

The delegates to the recent convention of National Farmers Union, for example, spelled out their immediate and specific objectives in the Policy Statement of our organization as follows:

*"School Lunch and School Milk.*—Increased appropriations for school lunch and a permanent milk program to meet the need created by an expanding enrollment in our schools. Congress should continue to offer Federal aid for all partici-



pating children not just for underprivileged. We find several commendable proposals in the suggested Child Nutrition Act, particularly for grants in aid for kitchen and lunchroom equipment for schools now without a program, for a pilot school breakfast program and for efforts to expand total participation. However, we feel these new measures should be in addition to what is now being done, rather than as a replacement for it."

There is no more pathetic problem facing our Nation than that of children who arrive at school hungry. Learning is a futile effort for such children and a waste of the teaching and physical resources that may be dedicated to the task. We especially want to commend you, Chairman Cooley, for your understanding of the need for inaugurating a pilot breakfast program.

Further, we believe that the program provided by H.R. 13361 to establish a permanent program to assist low income school districts to acquire food service equipment is a meritorious step forward in the effort to close the nutritional gap that exists among our school-age children.

While we are greatly encouraged by the understanding and humane attitudes that the bill before the Committee reflects, we want to point out that additional funds must be appropriated by the Congress if the provisions of the bill are to be of maximum benefit to the Nation.

We know of no more important way to utilize the resources of our Nation than to expand the programs authorized under the School Lunch Act, as the bill would amend or expand it toward the goal of providing school-age children the food they need. *This effort should be made without regard to the financial status of the parents.*

In closing we would like to point out that the funds provided by Congress have, for the most part, been a very small percentage of the total of funds spent on school feeding programs. As the Secretary of Agriculture has pointed out, the \$325 million a year which the Federal Government has provided in dollars and in donated foods annually over the past few years is largely a catalyst to help provide the incentive for states and local communities to establish school feeding programs, contributing their own resources.

In every school where a program exists, there are dedicated employees and many volunteers who have made possible the School Lunch Program as we know it. They are to be commended because without their leadership, dedication and work the School Lunch Program would not have been the effective program that it is today.

Mr. POAGE. Our first witness listed is Congressman Stratton, who is not here.

Next is Congressman Horton, who is not here.

Next is Congressman Kastenmeier, who is not here.

Next we have Congressman McEwen, who is right here on the spot.

We shall be glad to hear from you.

#### STATEMENT OF HON. ROBERT C. McEWEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. McEWEN. Mr. Chairman, first permit me to thank you and the distinguished members of your committee for affording me this opportunity to appear before you with reference to the Child Nutrition Act and the numerous bills designed to create a permanent special milk program for children. Undoubtedly, this Congress will long be remembered as one deeply appreciative of the value of sound nutritional concern for our Nation's youth. We have all long regarded the school lunch and special milk programs as efficiently run, well-administered, and soundly beneficial programs receiving well-deserved praise. Indeed, congressional restoration of the proposed budget cuts of \$19 and \$82 million for the school lunch and special milk programs served as eloquent witness of the Congress' awareness and interest in this vital area. As Chairman Cooley has said, "Both programs have worked well and have contributed to the health of many children."

Title II of the Child Nutrition Act incorporates the special milk program. I am not sure that this is desirable. Rather, I would prefer to see the special milk program remain separate and made permanent.

Though the program is basically a nutritional program, undoubtedly it has also assisted in raising the income of the dairy farmer by encouraging consumption of fluid milk, thus bringing about balance between supply and demand. This side effect is obviously desirable in that milk production has been dropping at a most alarming rate.

In April it was down 3.8 percent from that of April 1965; in March, down 4.6 percent; in February down 5.8 percent; and in January down 5.3 percent. I also note that as of January 1966 there were 6 percent fewer dairy cows on U.S. farms, in total the smallest number since 1900.

Because of the proven past success and effectiveness of the special milk program, I feel that it would be best to make this program permanent. This relatively modest investment in the health of our children should not be a temporary program nor subject to limitation and/or curtailment due to budget manipulations.

At this time I might also note that I do not think we should affix a "means test" to determine which schoolchild can receive his pint of milk under the program. In the era of the "Great Society" it appears somewhat incongruous that discussion is raised suggesting that an economically discriminatory program has to be launched.

Judging the special milk program on its past performance, we might easily conclude that the program should be made permanent, remain separate, and receive a graduated annual appropriation. This will insure its continued effectiveness in the ultimate and immediate interest of our Nation and its youth.

Mr. Chairman and gentlemen, I was pleased to note Chairman Cooley's remarks earlier this year when he took strong exception to providing the means test. I believe his words were:

The idea of a child having to be identified in a school as coming from a poor family to get a glass of milk is an affront to the child and his family.

One little aside I would make on that in conclusion. In a recent trip in my district I met with a young attorney who said that his own recollections of the depression years of the thirties were limited to one thing that was very vivid in his mind. He said:

I came from a family where fortunately my father had a job. I knew people were out of work but I was a little too young to understand the full impact and meaning of the economic depression.

He said:

I do recall as a student in grade school there came a time in the forenoon of the school day when certain of my classmates were called out by name to leave the room. The purpose of it was that they be given their free half pint of milk.

He said:

It wasn't long before these children were singled out and called out for that milk and became quite embarrassed about the fact they were poor children and were being treated differently from others.

He said:

I recall some of them were so embarrassed by it that they didn't want to participate.

I think this illustrates the point that Chairman Cooley made in his statement, to which I subscribe, and I hope that members of this committee do, also. We should not have any program which would indicate the need for a means test to determine who is to receive a half pint of milk.

I thank you for the opportunity of appearing before this committee.

Mr. POAGE. We thank you, Mr. McEwen.

We are very much obliged to you.

Mr. TEAGUE. I would like to commend Mr. McEwen on a very constructive and effective statement.

Mr. McEWEN. Thank you, Mr. Teague.

Mr. POAGE. Our next witness will be Congressman Horace R. Kornegay followed by Mr. Patrick B. Healy, the assistant secretary, National Milk Producers Association.

#### STATEMENT OF HON. HORACE R. KORNEGAY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA

Mr. KORNEGAY. Mr. Chairman, I want to thank you and the other members of the committee for allowing me the opportunity to appear here today.

I know that this committee has many bills to consider and many witnesses to hear, so I will not indulge myself too long on your time and your patience.

However, I cannot overemphasize the importance of the subject matter before you and in this connection urge your usual very careful consideration of my bill, H.R. 13275, and all other similar proposals designed to permanently establish special milk programs for children.

The Honorable Dan K. Moore, Governor of my home State of North Carolina has said: "Nourishment of the body is an absolute prerequisite to nourishment of the mind, and you cannot teach a hungry child." This, Mr. Chairman is a fact, a reality. This is the foundation for the various special milk bills which rest—temporarily, I hope—with this committee.

H.R. 13275 would, briefly, allow the Secretary of Agriculture to encourage the consumption of fluid milk by children in nonprofit schools, nursery schools, childcare centers, settlement houses, summer camps and other nonprofit institutions which care for and train children.

The cost—\$105 million in 1967 and up to \$120 million after 1969—is minimal, compared with many appropriations passed by this Congress. While we are spending billions of dollars in establishing and maintaining aid programs throughout the far reaches of the world, certainly we can afford to spend \$120 million here at home to improve the nutritional status of our school-age children.



While my bill is national in scope in its application, I will speak more of its effect in the State of North Carolina for I am more familiar with past practices and future potential there.

The administration would redirect efforts in the special milk program by providing Federal assistance only to those schools which are participating in the special assistance school lunch program and would reduce the school milk budget by 80 percent, from \$103 million to \$21 million.

In North Carolina, this would deprive the children in 2,000 of our 2,300 schools of an extra half pint of milk, so vitally needed at the reduced cost of 3 to 4 cents per half pint. With an average price paid the distributor per half pint of 7 cents, this would mean—under the administration's proposal—that schools would have to sell milk for 8 to 10 cents per half pint and exclude those children participating in the special milk program who need it most.

Mr. Chairman and members of this committee, we should not and cannot save money by starving hungry children. Education is not an expense, it is an investment in the future of our country.

Certainly, the wealthiest Nation on the face of the earth can afford to spend this comparably paltry sum in an effort to provide proper nourishment for all our children. I heartily concur in any effort to give greater attention to the needy child who is unable to secure milk and food. But, it is fallacious to claim that only the impoverished child should share at the benevolent breast of his mother country. I say to you that to give a child in one row a glass of milk and say to him that I give this to you because you are poor and to give a glass of milk to the child sitting next to him in the next row and say to him that you must pay for this milk stigmatizes both. Immediately, the Federal Government puts a barrier between these two children and divides the haves and the have-nots in an elementary classroom.

I personally would not like to identify any child as poor or an orphan of the poverty war in order to qualify him as eligible to receive a glass of needed milk and I don't think any of you on this committee would either. I urge favorable action on this bill.

I, again, thank you for the opportunity to present this statement.

Mr. POAGE. Thank you Mr. Kornegay. Now we will hear Mr. Patrick B. Healy.

#### **STATEMENT OF PATRICK B. HEALY, ASSISTANT SECRETARY, NATIONAL MILK PRODUCERS ASSOCIATION**

Mr. HEALY. Mr. Chairman and members of the Committee, my name is Patrick B. Healy. I am the Assistant Secretary of the National Milk Producers Association, with offices at 30 F Street NW., in Washington, D.C.

With your permission I would like to file my statement and make a few brief comments on some of the more pertinent points which are raised in it.

Mr. POAGE. Without objection that may be done.

(Mr. Healy's statement follows:)

## STATEMENT OF PATRICK B. HEALY, ASSISTANT SECRETARY, NATIONAL MILK PRODUCERS FEDERATION

Mr. Chairman, members of the Committee, I am Patrick B. Healy, assistant secretary of the National Milk Producers Federation, with offices at 30 F Street N.W., Washington, D.C..

The Federation represents cooperatives whose membership is made up of dairy farmers over the Nation. The Federation, therefore, speaks for milk producers.

We appreciate this opportunity to express the views of the nation's dairy farmers with reference to H.R. 13550 (Mr. Cooley), H.R. 12805 (Mr. Stalbaum), H.R. 12907 (Mr. Quie), H.R. 12984 (Mr. Olson), H.R. 13143 (Mr. Dole), H.R. 13204 (Mr. Harvey of Indiana), H.R. 13234 (Mr. Resnick), H.R. 13668 (Mr. Bandstra), which are identical to over 60 bills before the Congress, all of which are under consideration by this Committee and with reference to H.R. 13361.

H.R. 13361, a bill to establish a cooperative federal and state child nutrition program, provides for the following:

1. A national school lunch and child nutrition program quite similar to the program now administered under the National School Lunch Act.
2. A special milk program which, while it is patterned after the current Special Milk Program for Children, makes several significant changes.
3. A pilot program for school breakfasts.
4. A special food service program for children from areas in which poor economic conditions exist.
5. A non-food assistance program under which grants-in-aid can be made to schools to provide for the serving of food.

The National Milk Producers Federation has great concern for the poverty stricken people in the United States and it, without reservation, will support sound and effective measures which will provide needed assistance for this group of our people. In this regard it may be that the judgment of this Committee will result in provisions for exploration of pilot feeding programs in destitute areas and provisions for grants in aid which will allow schools located in economically depressed areas to take advantage of the School Lunch Program and the Special Milk Program for Children as they are now operated without impairing funds appropriated for the purchase of food under either of these programs.

We, therefore, have no objection to Titles 3, 4, and 5 of H.R. 13361. We feel, however, that if there is sufficient need for programs of this type, then they should be considered separately and judged on their merits alone. We do not believe that two programs which have been operated so successfully over so long a period of time as the School Lunch Program and the Special Milk Program for Children should be joined with programs aimed to assist the poverty stricken elements of our society.

We see no need for the Congress to consider re-writing the National School Lunch Act, as is contemplated in Title 1 of H.R. 13361, nor do we see any improvement in the Special Milk Program for Children as it is presented in Title 2 of H.R. 13361. It is, therefore, our recommendation that Titles 1 and 2 be stricken from the bill and that the Committee consider Titles 3, 4, and 5 on their merits as aids to children of destitute families or children who live in poverty stricken areas of this country.

H.R. 13550 (Mr. Cooley), H.R. 12805 (Mr. Stalbaum), H.R. 12907 (Mr. Quie), H.R. 12984 (Mr. Olson), H.R. 13143 (Mr. Dole), H.R. 13204 (Mr. Harvey of Indiana), H.R. 13234 (Mr. Resnick), H.R. 13668 (Mr. Bandstra), and some 60 similar bills are currently before this Committee. These bills make permanent the Special Milk Program for Children as it is now operated, provide authorization for funding the program with sufficient money to allow for a steady reasonable growth, and give the Secretary of Agriculture broader authorization in the re-allocation of funds. The National Milk Producers Federation fully supports these bills because the objectives of the Special Milk Program, as set forth by Congress, now are being realized. The stated purpose was to encourage children in schools and other nonprofit institutions to consume more milk to improve their diets, as well as helping dairy farmers by providing a market for fluid milk.

Continuation of the program also means that the acquisition of dairy products by the Commodity Credit Corporation is directly decreased, so that the costs for purchasing and storing dairy products under the price support program are reduced.

This program has expanded each year since 1954 when the first school in the Nation to come under the program—a school in Lodi, Wisconsin—served milk to its 530 pupils. Since that time, the number of schools and child-care centers participating has grown rapidly. In 1955, the program reimbursed 41,094



institutions for 449.8 million half-pints of milk. Participation increased to 92,005 outlets in 1965 and the use of nearly 3 billion half-pints of milk.

Certainly the program growth is evidence of overall public acceptance. It will continue to grow if the Congress will provide the needed funds and make the program permanent.

When a program works as well as this, it should be continued. We do not need a new program. Years of successful operation have already proven the worth of this one.

Over the years the Special Milk Program for Children has grown at the rate of approximately 5 percent per year. This is due to increased school enrollment and added participation. If the present growth rate continues, more funds will be required each year. These bills provide authorization to meet such future needs.

Sufficient funds are not available under the present program to reimburse the schools now taking part. The rate of payment to schools was cut to 95 percent in 1965, and was cut again to 90 percent in February of this year as a result of the impounding by the Bureau of the Budget of \$3 million which Congress had appropriated. These cuts have resulted in either a higher cost of milk to children, or to fewer children drinking milk, or both. The health and welfare of the children taking part in the program are too important to be sacrificed.

By making this law permanent as provided in these bills, schools can plan their programs for this year and for succeeding years. Now is the time to make this program permanent, as this modest investment in the health of our children should not be provided by a temporary program nor should it be limited for lack of funds.

While this program is primarily a nutritional program, it also has helped raise the income of the dairy farmer by encouraging the consumption of fluid milk, thereby bringing about a balance between supply and demand. The income of dairy farmers is too low, and as a result many are selling their herds and diverting their farm resources to other alternatives, or taking jobs in industry.

By improving the market for milk through enactment of these bills, we are making an investment in a strong dairy industry, which will be needed if this country is to supply the increasing needs of the American consumer in coming years.

During fiscal 1965, children drank nearly 3 billion half-pints of milk under the program. This amounts to 1.6 billion pounds of milk, about 3 percent of the total nonfarm consumption in this country. This milk represents the balancing factor which provided for badly needed increased farm income. It would be necessary for the Commodity Credit Corporation to purchase this milk in the form of manufactured dairy products, if the program were impaired, with the government paying for the dairy products, as well as the storage bill. Surely, the Children's Special Milk Act provides a wiser course to follow.

Another important provision of these bills is that they authorize the Secretary of Agriculture to re-allocate funds when it appears that a participating state would not be able to fully use the funds allocated to it, thereby providing for maximum utilization of available funds and encouraging optimum participation by children.

Because of this program, many children of destitute families receive milk they otherwise could not afford. More will benefit in the future if this bill is passed. Prices for dairy products will be stabilized because of a continued market for the milk used by the children. The farmer, who has been forced to accept low prices in the past, will be assured of this market for fluid milk.

To continue this program, which already has received such wide acceptance, and to provide for adequate financing, we support these bills. In authorizing the funds for the fiscal year ending June 30, 1967, and thereafter, these bills will insure that all nonprofit schools and nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children can continue to provide for them the nutritional benefits available under the program.

The National Milk Producers Federation sincerely appreciates the interest of this Committee in this further study of the Special Milk Program for Children, and it appreciates the efforts of this Committee which are evidenced by this study to provide the best possible legislative authority for this program. It is our judgment, however, that the program can best be administered and provide the most good for the greatest number of children if it remains separate from the National School Lunch Act and separate from measures designed to aid the destitute. We, therefore, continue in support of the legislation now pending before this



Committee which would provide continuing authority for the Special Milk Program for Children as a separate program under separate Congressional authority and funded separately.

In essence, what we are recommending is a continuation of a program which has enjoyed tremendous success as it is now instituted. We, of course, believe that there must be a continuing increase in authority for funds sufficient to meet the growing demands, such as is provided for in these bills.

May we again express our appreciation to this Committee for its concern over these programs which provide so vital a part in the development of a national sound nutrition program for children.

Mr. HEALY. The National Milk Producers Federation is a national farm commodity organization made up of dairy farmer co-operatives doing business in every State in the Union. We appreciate this opportunity to express the views of the Nation's dairy farmers on some 60 bills, 8 of which were introduced by members of this committee, which are designed to make the special milk program for children a permanent program.

We also appreciate the opportunity to express our views on H.R. 13361, the child nutrition program, and I would like to address myself to that bill first. H.R. 13361 provides five things:

First, a rewrite of the national school lunch program, which is quite similar to the one now administered under the School Lunch Act.

Second, a special milk program which, while it is patterned after the current program, makes several significant changes.

Third, a pilot program for school breakfast.

Fourth, a special food service program for children in areas in which poor economic conditions exist.

Five, some nonfood assistance under which grants in aid can be made to schools.

The National Milk Producers Federation has great concern for the poverty-stricken people of this country and we will support sound and effective measures to provide assistance to this group of people within our population. We therefore have no objection to titles III, IV and V of H.R. 13361. However, we do feel that if a real need exists for the types of programs outlined in these last three titles of the bill, then they should be judged separately on their own merits. We see no need to rewrite the National School Lunch Act as is contemplated in title I of the bill, nor do we see any improvement in the special milk program as it is presented in title II. Instead we feel that title II contains many provisions which would seriously impair the special milk program.

We were happy to hear Secretary Freeman say yesterday:

If the Committee would prefer to substitute for Title II language that of existing authority under which the Special Milk Program is administered, we have no objection.

It of course would be necessary to provide continuing authorization for the special milk program because the authority runs out in June of next year. Such authority is contained in these 60 bills which are currently pending before your committee. These bills make the special milk program permanent. They provide authority for appropriations in the amount of \$110 million for the fiscal year ending 1967, \$115 million for 1968, and not less than \$120 million for 1969 and thereafter.

The bills also provide authority for the Secretary of Agriculture to reallocate funds when he finds that they can be used better in other States.

It is indeed a pleasure to come before the Congress to plead a case for a program which has been so eminently successful. In 1955, under the special milk program, milk was served in about 41,000 institutions, and there were about 450 million half pints of milk served.

In 1965, 10 years later, 92,000 institutions had adopted the program, and over 3 billion half pints of milk were served under it.

This represents a growth rate of about 5 percent per year, and such a growth rate is evidence of complete acceptance by all concerned of this program. It is evidence of acceptance by the Congress which has continued to provide funds for it; by the administration which has continued to administer it in the best possible way; the schools have accepted it; the general public has accepted it, as have the people who supply the program.

Therefore, without qualification we in the National Milk Producers Federation support these some 60 bills which would provide continuing authority for the special milk program for children as a sound program, one under separate congressional authorization and one funded separately.

What we are saying, is that we have two fine programs working in the Nation's schools—the School Lunch Act and the school milk program. These should continue as separate programs so they can enjoy the acceptance which they have enjoyed heretofore, and therefore no action need be taken on the School Lunch Act. Action is needed on the special milk program and it should be taken on the bills which continue it as a separate program so it can be operated where we can watch it and where you can watch it and we can continue to see that it is operated in such a way as was intended.

Third, if there is a need for special assistance programs for destitute children or children who live in areas in which poor economic conditions exist we, of course, support that. However, let us not ruin or impair two fine programs merely to gain consideration for programs which may be needed.

That concludes what I have to say.

Mr. POAGE. Thank you very much, Mr. Healy.

Questions?

Mr. O'NEAL. Do I detect from what you have said, perhaps between the lines, that you like the Ellender amendment better than you do the House bill?

Mr. HEALY. Somewhat. But, Mr. O'Neal, I testified in the Senate on Tuesday, somewhat as I am testifying here.

In this H.R. 13361 I think we have a complete statement of what the administration would like to do with these two programs. We would not like to put them together because as soon as you get them together you get a big fund of money——

Mr. O'NEAL. The Ellender amendment would separate them, would it not?

Mr. HEALY. No, sir, it puts the school milk program in the School Lunch Act. Also section 18 of this S. 3467, which is the Ellender bill, section 18 of that bill writes the Economic Opportunity Act into the school milk program, which we object to very much.

Mr. O'NEAL. I didn't realize that and I am glad you pointed that out.

Mr. HEALY. In this bill, for instance, here is one of the prime things we would object to, page 13——

Mr. O'NEAL. What are you reading from?

Mr. HEALY. H.R. 13361, page 13. Section 203 sets up priorities under which funds under the special milk program can be disbursed, you see.

It says:

First funds must be made available to schools without a food service; second, they must be made available for needy children in schools with a food service; third, if available funds permit to schools and non-profit institutions for all children.

Such things would completely impair this program and it has been so good and has done so much not only for the nutrition of school-children but it is a very real part of the dairy price-support program and one upon which the dairy farmers of this country depend to a very great extent. I think it would be disastrous to the program to mix it in and put limits and priorities on it.

Mr. O'NEAL. Could bring about trouble?

Mr. HEALY. Very, very much trouble; yes, sir.

Mr. O'NEAL. That is all.

Mr. POAGE. Thank you, Mr. O'Neal.

If there are no further questions we are very much obliged to you, Mr. Healy, and we appreciate your statement.

Mr. HEALY. Thank you.

Mr. POAGE. Mr. Stratton has come in. We will be glad to hear from you now, Mr. Stratton.

#### STATEMENT OF HON. SAMUEL S. STRATTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. STRATTON. Thank you very much, Mr. Chairman.

I have a brief prepared statement but I think in the interest of time perhaps I can just summarize my sentiments. I have introduced H.R. 13439 which is legislation similar to that introduced by a number of other Members of Congress entitled "The Children's Special Milk Act of 1966" and my sentiments echo those of the previous witness and I believe several of the other witnesses who have testified; namely, that I feel strongly as a representative of a major dairy constituency that we ought not to change the special milk program for children to one that would be directed specifically toward needy children, but rather should continue it in the present fashion. That basically is what this legislation is designed to do and, in effect, it would prevent any future attempt to alter this purpose by adjustments in the budget request.

Of course, this year, as we all know, the action of the Congress has continued the special milk program, in spite of the President's recommendations to the contrary. But it was my feeling, and I am sure other Members felt the same way, that perhaps we ought to nail down our intention along this line somewhat more firmly in legislation rather than let the program be subject to budget recommendations on a year-to-year basis.



I have not had a chance to study in detail the chairman's legislation, the Child Nutrition Act of 1966, H.R. 13361, but my general impression after a rather hasty review of it, is that it does tend to alter the emphasis of the programs that we have had in the past, particularly the milk program, from one of providing milk to all children regardless of economic status, to one that is basically a welfare or an economic opportunity program. I think that change would be a mistake. I think in practice the idea of lining children up in the school restaurant so that those who are in one economic category would go through one milk line and those in another economic category would go through another milk line would be most improper and indefensible.

We who have had an opportunity to learn something about the dairy industry realize that milk is certainly the basic and most nourishing food. Children should have plenty of it regardless of their economic status. The school milk program has been one of the best devices that we have had in the past, not only for helping those youngsters that may not get adequate nourishment at home because of lack of economic resources, but also for encouraging other youngsters who might otherwise spend their money on less nourishing types of beverages to drink the milk that they do need.

I think it is also perfectly clear that this special milk program has not been without its help to the dairy farmers as well. Our dairy farmers, at least until recent months, have had great difficulty in trying to deal with a problem of surplus milk. We have seen the struggle they have made to obtain additional markets for their product. Well, over the years the school milk program has been a pretty reliable market. To make any drastic cut in that program now would not only hurt the schoolchildren of the Nation but it would also hurt the dairy farmers as well.

For that reason, too, I oppose the suggestion that we ought to reduce our special milk program to one limited only to needy children. Instead I believe we should continue it on a permanent basis. That is what my legislation would do.

Mr. POAGE. Thank you very much, Mr. Stratton.

Questions?

If not we are very much obliged to you and delighted to have you before our committee, Mr. Stratton.

Mr. STRATTON. Thank you very much, Mr. Chairman.

I would like to file my prepared statement for the record.

Mr. POAGE. Without objection, that will be done.

• (The statement follows:)

STATEMENT OF HON. SAMUEL S. STRATTON, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF NEW YORK

Thank you, Mr. Chairman, I am glad to have the opportunity to testify today on behalf of my bill, H.R. 13439, that would provide for a permanent and expanded school milk program. I would also like to comment generally on the proposals to use our agricultural commodities to assure better nutrition for all our children.

As representative of one of the largest dairy districts in the nation, my interest in the school milk program is twofold. First, I believe these programs have done a great deal toward improving the health of our children and created a far better educational atmosphere in our schools. Secondly, by increasing the use of dairy

products this program assists our nation's dairy farmers whose income presently suffer from a combination of over production and rising costs.

The present school milk and school lunch programs have been perhaps the most successful economic opportunity programs Congress ever established. I believe one of the reasons for their success is due to the fact that they were not conceived as welfare programs or child subsidy programs. Rather this national asset was used to assure all our children with fresh milk and a good lunch. This was done in a way that did not single out disadvantaged children from their more fortunate contemporaries. Every school child was provided more nutritious diets.

I strongly favor making this program permanent and expanding its scope. We recently passed the Food for Freedom Act. I am sure that expanding a domestic program along similar lines would also be well received.

We have seen already how successful these programs have been. With low administrative costs over 5,000 schools in my home state of New York have participated in this program and over one and one half million children in New York State have been assured fresh milk.

These programs should be continued and expanded, but they should not be put on a welfare basis. I think it would be a drastic mistake to say that free milk or low cost lunches would only be given to children with family incomes below a certain level. I am sure that very few people would be worried if children from more fortunate economic circumstances also shared in a program of child nutrition.

I firmly believe, Mr. Chairman, that in the long run the answer to poverty is education, not welfare. I also believe that if we introduce a welfare program into the daily activities of our schools that we will make the job of giving all our children an equal opportunity more difficult. The school should not be forced to dole out welfare. Instead they should be a place where each child is received on an equal footing. Stamp plans or bread lines have no place in our schools. If the program required this it would bring into the schools the stigmas of inequality that continue to plague our society.

I would also like to comment on the importance of this program to the American farmer. I am sure that many of my colleagues have been disturbed as I have been by assertions in recent weeks that somehow the farmer has been responsible for inflation. The truth is that the farmer has instead of becoming richer has become poorer. Maybe the price on the grocery shelf is higher, but the income the farmer has left after paying the increased costs of production out of the return he actually gets has been seriously squeezed.

No sector of the American economy is more clearly preeminent in the world today than agriculture. It is abundantly clear that the American farmer and the American farm industry is the most productive and most efficient in the world today. Our nation's superiority in this field has caused many domestic problems of surplus commodities and farm income. The Food for Freedom and expanded child nutrition programs will put this abundance to work. Instead of apologizing for our success in the field of agriculture we should exploit it. In doing so we will improve the nutrition of all our children, boost the income of our farmers, and improve our image around the world.

In conclusion, Mr. Chairman, I strongly urge the expansion of these programs and recommend that every effort be made to put them on a basis from which all children will benefit.

Thank you again, Mr. Chairman, for the opportunity to testify and for the attention of the Committee members.

Mr. POAGE. I understand Congressman Kastenmeier has asked that we insert his statement in the record.

Without objection, that will be done.

(The following statements and letter were also submitted to the committee:)

STATEMENT OF HON. CHARLES E. BENNETT, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF FLORIDA

Mr. Chairman, not all Americans are fortunate enough to choose what and when they eat, and many young people today lack a basic nutrition intake, which hampers their growth to maturity.

As a member of the Armed Services Committee, I see that almost one-half of the young people who fail the pre-induction examination for military service are



turned down because of physical deficiencies. This is a great detriment to our national defense, and perhaps through programs such as the Child Nutrition Act this percentage of physical rejects may be cut.

I am sure you are aware that my state of Florida is the source of seventy percent of the nation's citrus products, and our citrus production is expected to double in the next five years. Leaders in the Florida citrus industry assure me that enactment of the Child Nutrition Act, which I understand may specify the use of citrus in the breakfast program, will not place a drain on the nation's citrus supply. They anticipate that greater volume consumption will bring about an eventual price reduction for the general consumer. It is undisputed that very few, if any, other foods hold the vitamin content of citrus, and I think all American children should have the opportunity to have the advantage of vitamin-filled citrus products in their diets.

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STATEMENT OF HON. FRANK HORTON, A REPRESENTATIVE IN CONGRESS FROM  
THE STATE OF NEW YORK

Mr. Chairman, it is a great privilege for me to have the opportunity to appear here today before you and the other distinguished members of your Committee to speak in behalf of my bill, H.R. 12804, the Children's Special Milk Act.

I shared the concern of the Nation when the Special Milk Program was threatened by the proposed cut in the Agriculture appropriations for Fiscal Year 1967. The funds for this Program would have been slashed from \$103 to \$21 million, thus destroying the program.

I, likewise, shared the relief and joy of the Nation when the House of Representatives passed the Agriculture Appropriations for Fiscal Year 1967 with the funds necessary for the continuation of this program restored.

Although a portion of my purpose in introducing H.R. 12804 would be satisfied by the enactment of the Agriculture Appropriations bill as we passed it, I do not feel it is sufficient to merely extend the program for one more year. My bill provides for the permanent establishment of the Children's Special Milk Program.

The Special Milk Program, which was originated in 1954, has been an important and effective element in improving nutrition among our children. In Fiscal Year 1965 the program was used by 29,005 schools and child care institutions where nearly 3 billion half pints of milk were consumed. Nearly 22,000 more schools and child care institutions participated in this program than in the School Lunch Program. The Special Milk Program benefited approximately 16 million children.

These facts alone are sufficient to show the far-reaching importance of this program to the health of our children, for the nutritious benefits of milk need no discussion.

The Special Milk Program has a further benefit: it provides a fluid milk market for our dairy farmers. Rather than providing direct subsidy to the dairy farmers, this program stimulates the consumption of milk, thereby reducing the need for Government purchases and price supports. The program likewise reduces the necessity for subsequent sale of manufactured dairy products to the Commodity Credit Corporation. In my home State of New York, as elsewhere, milk used for fluid purposes returns more money to dairy farmers than the same milk if manufactured into such products as butter, cheese, or non fat dry milk. The price difference in New York to the dairy farmers is approximately \$3 million per hundredweight. Consequently, last year alone the dairy farmers in New York received \$4.5 million additional from sales of milk made through the Special Milk Program for Children. At the same time, the children who participated in the more than 6,000 outlets in the State purchased their milk at approximately 3 cents per half-pint less than the market price.

The exceptionally effective Special Milk Program is well established and has proved highly beneficial to the school children of America as well as to the dairy industry. To reduce or remove a program which has cost so little when considering the benefits it has provided would be, indeed, unfortunate. The continuing encouragement of the growth of this program is essential both to the health of our children and the welfare of our dairy industry.

Mr. Chairman, I urge your Committee's favorable consideration of my proposal to make the Children's Special Milk Program permanent.



STATEMENT OF HON. ROBERT W. KASTENMEIER, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF WISCONSIN

Thank you, Mr. Chairman, for the opportunity to testify here today in favor of my bill, H.R. 13273, the Children's Special Milk Act.

The school milk program is universally accepted and depended upon throughout America. Originally set up as only a school program, this special milk program was later expanded to include summer camps, nursery centers, and other child-care institutions. It is estimated that upwards of 26 million children in approximately 93,000 schools throughout our Nation consumed over 3 billion half pints of milk, providing them with necessary and essential nutritional benefits. Although the program is not compulsory, it encourages children to drink more milk by making it available at a price that most children can afford.

Recently, the House successfully restored the proposed cut in appropriations for the existing school milk program. This program is so much a part of school life that there is little doubt that Congress will allow any reduction. Congress, however, can and should go one step further by giving the program full Congressional endorsement on a permanent basis.

Furthermore, I would like to emphasize what I consider to be a most crucial and far-reaching effect that a permanent school milk program will have on America's dairy industry. This program has provided the dairy farmer with a market for his products. Today, however, due to the proposed increases in cheese imports and only moderate price support levels, the dairy farmer is facing an economic crisis. This type of crippling policy prevents the dairy farmer from getting a fair return for his efforts and his investment. The farmer already in dairying is tempted with attractive real estate prices for his land, employment opportunities in nearby towns and high meat prices for his cattle. It is practically impossible to encourage young men to go into dairying. As a matter of fact, a large scale exodus away from dairy farming is now in progress. The decrease in production which began in the last part of 1965 is still continuing. The May 1966 figures show Wisconsin production down some 6 percent below that of 1965, Minnesota, a 7 percent decrease and Iowa, a 7 percent decrease.

We must stimulate markets for our dairy products and the enactment of a permanent school milk program will not only provide our youngsters with nutrients essential for good health but also, insure a continuing market for dairy products and provide needed assurance that Congress supports programs of full parity for the dairy farmer.

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STATEMENT OF HON. ANCHER NELSEN, A REPRESENTATIVE IN CONGRESS FROM  
THE STATE OF MINNESOTA

Mr. Chairman, Members of the Committee, I appreciate this opportunity to present a statement in support of my bill, H.R. 12846, which provides for a permanent special milk program for children. My bill would expand and permanently establish the present Special Milk Program, which will expire at the end of the 1967 fiscal year unless new authorizing legislation is adopted.

Last year Congress appropriated \$103 million for the school milk program. However, the Bureau of the Budget decided to withhold \$3 million of that appropriation, thus forcing a cut in the Federal reimbursement rate in the face of the clear mandate from Congress to expand the program. As we all know, the House voted earlier this year to reject the proposed gutting of the program suggested by the same Bureau of the Budget and the Department of Agriculture by refusing to go along with a cut in the appropriations from \$103 million down to \$21 million.

Mr. Chairman, my bill would authorize the appropriation of not less than \$110 for the school milk program for the 1967 fiscal year; not less than \$115 million in fiscal 1968; and not less than \$120 million in each succeeding fiscal year after 1969. The bill would not change the existing program, but it would provide for adequate funding in future years to allow for expanding school enrollments and for increased participation by schools, nurseries, summer camps and childcare institutions not now receiving program assistance.

My bill would also extend the benefits of the school milk program to the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa in addition to the fifty States and the District of Columbia. I understand that there is some reluctance on the part of the Department of Agriculture to carry the school milk program into some of these areas because of a shortage of raw

milk locally. I am sure that our dairy industry possesses the knowhow to make available to these milk-deficit areas any number of forms of milk which can be easily stored and shipped. The million of gallons of milk which have been provided to children through various government and private food-aid programs are mute testimony against this line of reasoning. Surely if these products can be made available to children in countries in which the United States has no legal obligations, they should be made available to children in our territories.

Mr. Chairman, the Special Milk Program was never intended as a relief program nor was it designed to provide nutrition only for those children who could not acquire these products for themselves. The Agricultural Act of 1961, which altered the financing aspects of the program, authorized the appropriation of "such sums as may be necessary to enable the Secretary of Agriculture to encourage consumption of fluid milk by children in the United States." As any nutrition expert will tell you, poor children are by no means the only children who need to be encouraged to improve their diets.

The Special Milk Program established in 1954 was not intended as a temporary program. Because of the program, schools in all income levels built expensive facilities in order to participate. Any change now which would have the effect of making the program economically unfeasible in many school districts because of the rising costs of all other aspects of modern education will pull the rug out from under hard-pressed school boards and leave the children high and dry. The enactment of my bill would, once and for all, settle the question of the level of appropriations for the children's milk program.

While the primary purpose of this program is to improve the diets of our schoolchildren and thus better enable them to profit from their education, it is obvious that any cutback in the program would have serious effects on our dairy industry. Last year, the Special Milk Program consumed over 3 billion half-pints of milk. This rate of consumption is important for an industry which is losing many of its best dairy farmers because of low returns on their investments. Low dairy income has driven so many dairy farmers into other occupations that milk production reached a 26-year low last month. At a time when the milk shortage is growing steadily worse, it would be a very unwise and short-sighted policy indeed to slash dairy income and thus force more producers out of business.

Mr. Chairman, I am becoming increasingly confused as to just where the Administration stands on the Special Milk Program. We are all familiar with the efforts this year to cut the program back drastically; efforts which have not yet ceased. The Director of the Bureau of the Budget, Charles L. Schultze, is now complaining about the House's action to restore funds for the program. The Senate Agriculture Committee is still being urged by Administration spokesmen to cut the funds. And now the Secretary of Agriculture has testified before this Committee in connection with the Child Nutrition Act that while the milk program included in that legislation would cut the overall program back, on the other hand, "if the Committee would prefer to substitute for the Title II language that of the existing authority under which the Special Milk Program is administered, we would have no objection."

So round and round we go on the credibility merry-go-round. At any rate, I want to make my position on the Special Milk Program quite clear. I favor and would urge the Committee to take favorable action to extend and make permanent the Special Milk Program as outlined in my bill, H.R. 12846, either as separate legislation or as part of the Child Nutrition Act if H.R. 13361 is reported out by the Committee. We should not and will not sacrifice the well-being of our schoolchildren in order to finance new, questionable Great Society programs. Positive action by Congress is needed to end the confusion and keep the school milk program operating.

Again I thank the Chairman and the Committee for this opportunity to express my opinions concerning this important legislation.

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STATEMENT OF HON. WILLIAM L. SPRINGER, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF ILLINOIS

Mr. Chairman, I appreciate this opportunity to testify briefly in support of my bill, H.R. 14439, to provide a permanent special milk program for children. This is one of numerous bills before your committee which would accomplish the same purpose: make permanent the type of program we have had under temporary legislation since 1954. The bills differ in detail but all would strengthen a program that has been a major influence in improving the health of our children.



Unlike the Administration's proposal my bill will benefit all children, not just a certain class of children. When it comes to milk all children are needy. Although the special milk program originated during the Eisenhower Administration as a measure designed to assist our dairy farmers by promoting increased consumption of surplus milk, it proved to be an effective means of achieving higher standards of nutrition for America's schoolchildren. Through this program 25 million children in 93,000 schools received more than 3 billion one-half pints of milk in 1965.

Under the President's proposal, only children in schools not having lunch programs, and only a certain class of children in schools with lunch programs, would be eligible for low-cost milk. I wholeheartedly favor the appropriation of sufficient money to assure full participation of children from impoverished families and schools in impoverished areas in both the special milk and lunch programs. But I believe this financial assistance should be extended without jeopardizing the nutritional requirements of all our children.

In any Gallup poll on the popularity of federal aid programs I am confident that the special milk program would rank close to the top of the list. It is a good investment in America's future. Let's keep it.

) STATEMENT OF HON. WILLIAM B. WIDNAIL, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF NEW JERSEY

Mr. Chairman and members of the Committee, I appreciate the opportunity to appear before your Committee today during your hearings on H.R. 13361 and 65 other bills dealing with extension of the school milk program.

This school milk program is a matter of deep concern to New Jersey citizens, many of whom have supported my own bill, H.R. 13006, to provide a permanent school milk program for children. They have strongly opposed the budget cut proposed by President Johnson for the year 1966-67 which would reduce the appropriation for the school milk program from \$103 million to \$21 million. A report by the New Jersey Agricultural Experiment Station shows that such a cut would force a reduction of 9 million half pints of milk in the school lunch program in New Jersey, and a reduction of 20 million half pints of milk in the school milk program of New Jersey.

Such a drastic cut cannot be justified, at a time when many less important and less worthy programs are being funded by the Congress at the request of this Administration. In its report on the Department of Agriculture Bill for 1967 the Appropriations Committee, which restored the full amount of the cut, and provided the entire \$103 million, said the proposed Budget cut was one of the most drastic reductions presented to the Committee in the 1967 budget, and pointed out that it would deny supplemental milk to about 80 percent of the school children now receiving such milk. The Committee's report added that the cut would place a stigma on those children receiving milk which could "substantially reduce the number of children who would participate."

On May 7, this year, the New Jersey State Federation of District Boards of Education adopted a resolution at its annual delegates meeting which declared that "the taking of food or milk (nutritional staples) from children is a disservice to the health and welfare of youth" and petitioned the State's representatives in Congress to "maintain the food services and without a decrease in financial support".

The New Jersey Youth Division on March 3, this year, advised me that it was opposed to the proposed cut in the school lunch and school milk programs which could adversely affect the health of many children in New Jersey, and made the following points in explanation of its stand:

1. No school lunch program or special milk program will be able to operate at the present cost to students without either local or State subsidy.

2. Past experience and studies clearly demonstrate that raising the cost to students cuts their participation in these programs.

3. Many children, regardless of economic level, go to school without breakfast. The unavailability of a school lunch will deprive many students of the opportunity for adequate nutrition.

4. The school lunch and special milk programs were established as an educational tool for teaching children good nutrition, and such education needs to be strengthened, not cut back.



Included among the statements of opposition to the proposed budget cuts in the school lunch and school milk programs which I have received are letters from—

State Federation of District Boards of Education of New Jersey  
 State of New Jersey Youth Division  
 Washington Township Board of Education  
 Ramapo Regional High School District  
 Board of Education, Borough of Ringwood, N.J.  
 Warren County Board of Agriculture  
 Board of Education, Mansfield Township  
 Warren County School Superintendents Association  
 Stanhope Board of Education  
 Board of Education, Township of Saddle Brook, Bergen County  
 Washington Township Parent-Teacher Association  
 Garden State Milk Council  
 Board of Education, Rutherford, N.J.  
 Readington Township Board of Education  
 Lebanon Township Board of Education, Califon, N.J.  
 Board of Education, Borough of Hopatcong  
 Dairymen's League Cooperative Association  
 Memorial Junior High School

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STATEMENT OF JOHN C. YORK, GENERAL MANAGER, EASTERN MILK PRODUCERS COOPERATIVE ASSOCIATION, INC.

My name is John C. York. I am General Manager of Eastern Milk Producers Cooperative Association, Inc., whose offices are located in Syracuse, New York. The mailing address is Kinne Road, Syracuse, New York 13214.

Eastern Milk Producers Cooperative Association, Inc., has a membership of approximately 10,000 dairy farmers who are engaged in the production of milk suitable for fluid consumption, that is, for sale as bottled milk or cream. Their farms are situated in the Northeast, and preponderantly in the States of New York and Pennsylvania. That portion of the milk which is destined for fluid consumption is sold in the New York-New Jersey market and in other markets in the northeast. The portion which is not so disposed of finds its way into manufacturing channels.

EASTERN'S POSITION

Our Association strongly favors the continuation of the Special Milk Program as it has operated heretofore, and in accordance with the action of the House of Representatives on April 6, 1966, whereby it approved an appropriation of \$103 million for the Special Milk Program for fiscal 1967.

The budgetary proposal this year to reduce the appropriation to \$21 million has engendered turmoil and consternation, as this Committee is well aware. Protests against the proposal were made not only by dairy farmers, but even more so by school officials, school children and people from every walk of life. They were perplexed and hurt by what was proposed.

To settle this matter once and for all, we urge the enactment of the proposed "Children's Special Milk Act of 1966" as set forth in the several bills before this Committee. The enactment of the proposed measure would make assurance doubly sure that the children's milk program is a permanent thing, and that it is not to be tampered with according to the whim of executive offices. It would spare us in the years to come the anguish and confusion we experienced this year. Furthermore, it would provide for the expansion of the program in an orderly manner as the population expands.

There is also pending before this Committee the proposed "Child Nutrition Act of 1966." We support the enactment of this measure. We suggest, however, that the milk program be provided for separately through the enactment of the proposed "Children's Special Milk Act of 1966," rather than be made a part of the other measure.

BASIS OF EASTERN'S POSITION

The position of Eastern Milk Producers Association in favor of a children's milk program is well known. Most recently this position was set forth in our statement published in the Congressional Record of June 16, 1966, beginning at page 12853.

In that statement we showed that, unless the children's milk program is continued as heretofore, the loss in income to dairy farmers would amount to approxi-

mately \$26 million yearly. This is based on the fact that milk not distributed to school children would be converted to manufactured dairy products. The return to dairy farmers for this milk would thereby be reduced by \$1.99 per hundred-weight of milk.

In the New York-New Jersey market, where most of our milk is shipped, 47.3 percent of all deliveries by producers during 1965 was used to make manufactured dairy products, or was sold as non-farm-inspected cream. During March 1966 the corresponding figure was 47.4 percent. Obviously, whatever the supply conditions in other parts of the country may be, there is no shortage of fluid milk in the New York-New Jersey area.

We are still struggling with a surplus problem. Hence, a reduction in the volume of school milk distributed in our area would increase still further the proportion of milk used for the lower-priced manufactured products, with a consequent loss of income to dairy farmers.

In the statement published in the Congressional Record, we said as follows, and I will quote only a few sentences:

"Milk producers supplying the New York City area have had a quarter of a century of experience with the Federally-sponsored children's milk program. A program of this type was first introduced in New York City in 1940 and was known as the "School Milk Program", and, more popularly, as the "Penny Milk Program". Children in schools paid one cent for a half-pint of milk. The Federal payment which made this possible came from funds appropriated by Section 32.

"From New York City the program spread to other sections of the country, but it was suspended during the period of World War II.

"The Children's Milk Program now in operation was authorized by the Agricultural Act of 1954. To distinguish this program from the earlier 1940 program, the Department of Agriculture gave it the name of 'Special Milk Program'.

"The importance which the Congress placed on Federal assistance to increasing the consumption of milk by children of school age is indicated in its declaration of policy in the Agricultural Act of 1954. The Congress stated: 'The production and use of abundant supplies of high quality milk and dairy products are essential to the health and general welfare of the Nation'".

As indicated before, we support the enactment of the proposed "Child Nutrition Act of 1966." There can be no better investment than money spent for the improvement of the nutrition of children. The enactment of the "Child Nutrition Act" should not be effected, however, at the expense of the children's milk program. Nor should it be necessary to dismantle the milk program in order to initiate some other nutrition program, any more than it is necessary to tear down this beautiful Capitol in order to extend the west front.

In other words, our position is that the 25 year old children's milk program should be continued as heretofore, and that any other nutritional programs, should be introduced as separate operations. The basis for our position is that the milk program covers all children, irrespective of income status and should continue to do so, while some of the other feeding programs would, in the nature of things, have to be limited to needy children.

#### CONCLUSION

To conclude, I wish to reiterate that we favor the enactment of both measures under consideration, and urge that they be treated separately.

Mr. Chairman, I wish to thank you and the Committee for affording me the opportunity to appear before you.

CALIFORNIA DEPARTMENT OF AGRICULTURE,  
Sacramento, Calif., June 24, 1966.

Hon. HAROLD D. COOLEY,  
Chairman, House Committee on Agriculture,  
House Office Building, Washington, D.C.

DEAR CONGRESSMAN: I wish to take this opportunity to urge the approval of H.R. 12806 and H.R. 13888, introduced by Congressmen B. F. Sisk, and John V. Tunney, respectively, both from California, and also introduced by many other Congressmen.

This legislation makes permanent the Special Milk Program and authorizes the appropriation of funds needed to expand the program to keep pace with our population growth.

The accomplishments of the Special Milk Program in improving the nutritional food habits of our children are very great. Milk is a vital and necessary element in the diet of children. Many children get no milk or very little milk at home and must look to the Special Milk Program to supply this essential food.

The Program has operated successfully in California, as well as in other parts of the country since its inception. It would be a tragedy to fail to continue or to reduce its effectiveness.

Also, we are fully in accord with the purposes of the proposed Child Nutrition Act of 1966, H.R. 13361, which you have introduced, and S. 3467 introduced by Senator Allen J. Ellender, and which will fill a great need in improving the overall child nutrition program. This program gives high priority to children in low-income or poverty areas not now being reached by the Special Milk or the present School Lunch Program. We believe this to be extremely important, but we urge that it not be done at the expense of curbing the existing Special Milk Program.

Accordingly, we respectfully request that the Committee on Agriculture approve H.R. 12806 and H.R. 13888, the "Childrens Special Milk Act", and further request that this letter be made a part of the hearing record on this important Act.

Sincerely,

CHAS. PAUL, *Director.*

Mr. POAGE. Is there anyone else this morning who wishes to be heard?

(No response.)

Mr. POAGE. I know of no other witnesses who care to be heard this morning.

I am advised we have others who would like to be heard at a future date.

The committee, then, will stand in recess subject to the call of the chairman of the committee.

(Whereupon, at 11:45 a.m., the committee adjourned subject to the call of the Chair.)

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## LEGISLATIVE HISTORY

Public Law 89-642  
S. 3467

## TABLE OF CONTENTS

Index and summary of S. 3467 . . . . .	.1
Digest of Public Law 89-642. . . . .	.2





# INDEX AND SUMMARY OF S. 3467

Mar.	1, 1966	Both Houses received President's message on child nutrition. H. Doc. 395. Print of document.
Mar.	7, 1966	Rep. Cooley introduced H. R. 13361 which was referred to House Agriculture Committee. Print of bill as introduced.
June	6, 1966	Sen. Ellender introduced and discussed S. 3467 which was referred to Senate Agriculture and Forestry Committee. Print of bill and remarks of author.
June	8, 1966	Senate committee considered S. 3467.
June	29, 1966	Senate committee voted to report S. 3467.
July	7, 1966	Senate committee reported S. 3467 with amendment. S. Report 1360. Print of bill and report.
July	12, 1966	Senate passed S. 3467 as reported.
July	13, 1966	S. 3467 was referred to House Education and Labor Committee. Print of bill as referred.
July	26, 1966	House committee voted to report H. R. 13361.
July	27, 1966	House committee approved S. 3467.
July	28, 1966	House committee voted to report S. 3467.
July	29, 1966	House committee reported H. R. 13361 with amendment. H. Report 1787. Print of bill and report.
Aug.	3, 1966	House committee reported S. 3467 with amendments. H. Report 1802. Print of bill and report.
Aug.	25, 1966	House Rules Committee reported resolution for consideration of H. R. 13361. Print of resolution.
Sept.	1, 1966	House passed S. 3467 with amendment (substituting language of H. R. 13361).  H. R. 13361 tabled due to passage of S. 3467.
Sept.	13, 1966	Senate conferees were appointed.





INDEX AND SUMMARY OF S. 3467, cont'd

Sept. 14, 1966 House conferees were appointed.  
Sept. 19, 1966 Conferees agreed to file a report.  
Sept. 21, 1966 House received conference report on S. 3467.  
H. Report 2063. Print of report.  
Oct. 5, 1966 House agreed to conference report.  
Oct. 6, 1966 Senate agreed to conference report.  
Oct. 11, 1966 Approved: Public Law 89-642.

**Hearings:** S. Agriculture and Forestry Committee  
on S. 3467.

H. Education and Labor Committee on  
S. 3467.

H. Agriculture Committee on H. R. 13361.



## DIGEST OF PUBLIC LAW 89-642

CHILD NUTRITION ACT OF 1966. Strengthens and expands food service programs for children. Provides for a three-year extension of the Special Milk Program beyond fiscal year 1967; a two-year pilot program to provide breakfast in school, effective for fiscal years 1967 and 1968; a permanent program to provide equipment for food service in schools drawing attendance from children of low-income families; authority to provide funds to State educational agencies to assist them in the administration of the new authorities and section 11 of the National School Lunch Act, as amended; extension of all Federally aided food service programs for children to pre-school children enrolled in activities administered through the school system; and centralization in the Department of Agriculture of authority for the conduct and supervision of all Federally aided food service programs for children in school.











# **DIGEST** of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
(NOT TO BE QUOTED OR CITED)

Issued March 2, 1966  
For actions of March 1, 1966  
89th-2nd; No. 36

## CONTENTS

Air pollution.....28	Foreign aid.....13,21	Recreation.....15
CCC.....5,37	Foreign currencies.....3	Research.....14
Child nutrition.....1	Foreign trade.....19	Retirement.....42
Coffee.....24	Health.....1,20,28	School lunch.....6
Committee assignments.....9	Highways.....40	School milk.....1,6,18
Conservation.....17,32	Housing.....41	Small business.....4
Cotton.....14	Information.....8	Soil conservation....17,32
Credit.....30	Labeling.....30	Sugar.....23
Economic policy.....25	Lands.....15	Tariff.....43
Education.....1,18,20,26	Libraries.....1,27	Taxation.....2,36
Employment.....44	Milk.....1,6,18,35	Tobacco.....8
Farm labor.....7,41	Monopolies.....31	Transportation.....46
Federal aid.....45	Personnel.....42,44	United Nations.....10
Fish products.....5,16	Population control.....11	Veterans' benefits.....38
Food.....1,5,16,33,37	Property.....36	Water.....22,29,34,39
Foreign affairs.....10	Public Law 480.....21	Weather.....12

HIGHLIGHTS: Both Houses received President's message on child nutrition, health, and education. House Rules Committee cleared cotton research and promotion bill. Rep. Langen expressed concern over alleged increases in foreign sugar imports. Sen. Mondale introduced and discussed food reserve bill. Rep. Dole introduced and discussed bill to provide permanent special milk program. Sen. Kennedy, Mass., urged use of fish protein concentrate in Food for Freedom program.

## SENATE

1. CHILD NUTRITION; HEALTH; EDUCATION. Both Houses received the President's message on child nutrition, health, and education in which he: Stated he was submitting the Child Nutrition Act of 1966 to redirect our efforts to provide food to those who need it most, and which will: extend the school lunch program to more needy children and give greater flexibility in providing low cost or no cost meals; assist schools serving low-income districts to acquire kitchen and lunchroom facilities; provide pilot school breakfast programs for those children who start the day hungry; direct the special milk program to those schools

without food service, to schools serving children from low-income families, and to needy schoolchildren at whatever school they attend; start demonstration summer programs to provide food service for needy children at child-care centers and playgrounds; and help State educational agencies strengthen their staffs to improve child nutrition programs. Stated he was requesting \$50 million for programs designed to provide adequate nutrition for disadvantaged children, which is in addition to the \$329 million in cash and commodities already included in the budget for school nutrition programs. Stated he was directing this Department, HEW, and OEP to examine means by which the benefits of sound nutrition can be extended to every child who needs our help. Stated he has directed HEW to initiate a special food service program at multipurpose centers for elderly Americans. Stated he was recommending a program of grants to enable States and communities to plan the better use of manpower, facilities, and financial resources for comprehensive health services. Recommended a four-year extension of the Elementary and Secondary Education Act with the earmarking of additional funds for children of migrant workers. Recommended a five-year extension of the Library Services and Construction Act. (H. Doc. 395) To S. Labor and Public Welfare and H. Education and Labor Committees. pp. 4145-9, 4239-43

2. TAXATION. The Finance Committee voted to report (but did not actually report) with amendments H. R. 12752, the proposed Tax Adjustment Act (p. D141). The Committee was granted permission until midnight, Mar. 3, to report the bill (p. 4235).
3. FOREIGN CURRENCIES. The Banking and Currency Committee voted to report (but did not actually report) S. 801, to permit the use of reserved foreign currencies in lieu of dollars for current expenditures. p. D141
4. SMALL BUSINESS. The Banking and Currency Committee voted to report (but did not actually report) with amendment S. 2729, to increase the ceiling on the Small Business Administration revolving fund. p. D141
5. FOOD FOR FREEDOM. Sen. Kennedy, Mass., urged that fish protein concentrate be included among the commodities to be purchased by CCC for use in the proposed Food for Freedom program. pp. 4157-9  
Sen. McGovern inserted and commended an editorial supporting the proposed Food for Freedom program. p. 4157  
Cosponsors were added to an amendment by Sen. Bartlett intended to be proposed to S. 2933, the Food for Freedom bill, which would permit the use of CCC funds to purchase domestic fishery products for the program. p. 4155
6. SCHOOL MILK; SCHOOL LUNCH. Sens. Proxmire and Nelson inserted items critical of budget cuts in the school milk and school lunch programs. pp. 4174, 4179-80
7. FARM LABOR. Sen. Williams, N. J., inserted and commended an editorial favoring minimum wages for farm workers. p. 4169
8. TOBACCO; INFORMATION. Sen. Bass defended the use of a motion picture, which he stated was partially sponsored by this Department, to promote the sale of U.S. tobacco abroad. p. 4168
9. COMMITTEE ASSIGNMENTS. Sen. Anderson was appointed a member of the Joint Committee on Reduction of Nonessential Federal Expenditures to fill the vacancy created by retirement of Sen. Byrd. p. 4226



## HEALTH AND EDUCATION

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### MESSAGE

FROM

## THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

REVIEW OF ACHIEVEMENTS IN THE FIELDS OF HEALTH AND  
EDUCATION AND FURTHER RECOMMENDATIONS FOR ATTAIN-  
ING GOALS

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MARCH 1, 1966.—Referred to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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*To the Congress of the United States:*

A nation's greatness is measured by its concern for the health and welfare of its people. Throughout the history of our democracy, this commitment has grown and deepened.

The education of our people is a national investment. The health of our people is essential to the pursuit of happiness.

Today we can set ambitious goals for the future:

Full education for every citizen to the limits of his capacity to absorb it;

Good health for every citizen to the limits of our country's capacity to provide it.

The 88th and 89th Congresses have moved toward these goals. During the past three sessions, Congress has—

enacted 20 landmark measures in health and 19 in education; doubled the appropriations for health programs and increased the budget for our Office of Education more than fivefold.

The achievements of the past 3 years promise a dramatic enrichment of American life. They already include in the field of health:

1. The medicare program which, on July 1, will make benefits available to more than 19 million older Americans.

2. Health services for more than 200,000 migrant workers in 34 States.



3. Maternal and infant care for mothers and children previously receiving inadequate services.
4. Expanded services for crippled children.
5. Thirty-two new clinics for retarded children.
6. Construction assistance for 1,300 hospital and health facilities to add more than 56,000 new hospital beds.
7. Financial support for more than 16,000 medical research projects and advanced training for 25,000 scientists.
8. Construction starts for 62 institutions to enroll more than 2,400 additional students each year for training in the health professions.

Our achievements in education are equally impressive. Among them are:

1. Funds to improve educational opportunities for nearly 7.5 million underprivileged children in 20,000 school districts.
2. Summer Head Start programs for 560,000 preschool children in 13,350 community education projects and year-round programs for 120,000 children.
3. Textbooks and other learning materials for more than 40 million children in every State.
4. College work-study programs for more than 110,000 needy college students.
5. Construction aid for 1,300 institutions of higher learning—including new classrooms, laboratories, and libraries.
6. Twelve million books to improve public libraries and training programs for more than 400 librarians.

### HEALTH

With these programs and those I am recommending today, we can move closer to attainment of our goals—

- to bring every child the care he needs to develop his capacity to the fullest;
- to reduce infant mortality, concentrating particularly on those minority groups whose death rate is highest;
- to eradicate major communicable diseases as a threat to life and health in the United States;
- to reduce the burden of mental illness, and mental retardation; and
- to cut the toll of the three great killers—heart disease, cancer, and stroke.

The health budget which I have proposed for fiscal year 1967 is \$4.67 billion—an increase of almost \$1 billion. In addition more than \$3 billion in social security trust funds will be spent under medicare to assist our older citizens.

Funds for health manpower, facilities, and services are up \$707 million. Funds for environmental activities and consumer protection are up \$158 million. Funds for health research activities are up \$78 million.

To insure continuing progress, we must—

- improve the administration of Federal health activities;
- develop comprehensive health planning and services on the State and community level;
- strengthen our system of health care;
- train needed health workers;
- increase our research efforts; and
- take additional steps to meet special health problems.

## I. TO IMPROVE ADMINISTRATION OF FEDERAL HEALTH SERVICES

Our first concern must be the efficient and effective administration of the Federal health programs.

Over the last 12 years the budget of the Public Health Service for research, training, and services has grown almost tenfold—from \$250 million to \$2.4 billion. Yet major elements of the basic structure of the Public Health Service remain set by a law that is more than 20 years old.

The Secretary of Health, Education, and Welfare and the Surgeon General of the United States have consulted leading experts—physicians, administrators, scientists, and public health specialists—in a thorough search for the best means to improve the administration of Federal health programs. They all agree that the need to modernize the administration of the Public Health Service is urgent.

*To fulfill that need, I will shortly submit to Congress a proposed reorganization of the health functions of the Department of Health, Education, and Welfare.*

The ultimate success of Federal health programs depends on the men and women who direct them. At present, the personnel system of the Public Health Service is inadequate to recruit and retain the talent needed for its rapidly changing and expanding role.

*I will recommend legislation to improve the personnel system of the Public Health Service.*

This legislation will—

- promote career development;
- encourage more flexible use of health workers;
- provide them with broader opportunities; and
- stimulate higher standards of performance.

II. TO DEVELOP COMPREHENSIVE HEALTH PLANNING AND SERVICES  
ON THE STATE AND COMMUNITY LEVEL

The focus of our efforts is the individual and his family, living in their own community. To meet their health needs requires the cooperation of many agencies, institutions, and experts—of State and local government, of doctors, nurses, and paramedical personnel.

These are the frontline fighters in our battle against disease, disability, and death. As in military battle, a winning strategy demands wise and well planned use of manpower. It demands coordinated use of all the resources available.

*I recommend to Congress a program of grants to enable States and communities to plan the better use of manpower, facilities, and financial resources for comprehensive health services.*

At present, the Federal Government offers the States formula grants for categorical programs dealing with specific diseases. This leads to an unnecessarily rigid and compartmentalized approach to health problems.

Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

*I recommend a program to initiate new State formula grants for comprehensive public health services. This program would begin in fiscal 1968.*

At the same time, we must recognize that special health problems occur in some parts of our Nation and not in others. Certain diseases, such as tuberculosis and venereal disease, are concentrated in metropolitan communities. Others, such as rabies and parasitic diseases, are prevalent in certain geographic areas.

Resources to serve health needs are not evenly distributed throughout the Nation. Special problems arise in remote rural areas and the city slums. We need greater flexibility to pinpoint our attack.

*To make certain we have that flexibility, I recommend a program, to commence in fiscal 1968, of grants to States, communities, medical schools, and hospitals to meet special health problems.*

### III. TO STRENGTHEN OUR SYSTEM OF HEALTH CARE

The Hill-Burton program for hospital construction is an outstanding example of creative federalism in action. Now in its 19th year, this Federal-State-local partnership has added more than 300,000 hospital and nursing home beds to our Nation and more than 2,000 other health facilities in areas of great need.

*My budget requests the full authorization of \$270 million for facilities construction under the Hill-Burton Act.*

Medical advances demand new equipment and up-to-date laboratories. Intensive care units, as well as ambulatory and extended care facilities, require changes in the structure and function of aging hospitals, particularly in urban areas.

General hospitals containing 260,000 beds—one-third of our Nation's—are now in obsolete condition.

When medicare becomes operative this July, the pressure on many hospitals will grow even more intense.

*To begin to meet this urgent need, I recommend legislation to mobilize public and private resources to revitalize our obsolete hospitals. This will require a loan and grant program to assist in the long-term financing of hospital renewal projects.*

The need for modernization goes beyond the bricks and mortar of construction. We must find new ways to lower the cost and raise the quality of health care, to organize health services more efficiently, to develop information systems. It will take the combined efforts of university, hospital, industry, group practice clinics, and many other organizations.

I am directing the Secretary of Health, Education, and Welfare to conduct systems analyses and other studies to determine the most effective means of bringing high quality medical services to all the people at the lowest cost.

*I also propose a 5-year program of grants for research and demonstration projects in the organization, financing, utilization, and delivery of health services.*

As medical practice becomes more complex, specialization becomes more common. The number of general practitioners is declining—66,000 today compared to 95,000 15 years ago. In 1950, there was 1 family physician for every 1,600 Americans. Today 2,900 Americans must depend on 1 family doctor.

Group practice benefits both physicians and patients. It makes expert health care more accessible for the patient. It enables the physician to draw on the combined talents of his colleagues.



High initial capital requirements and a shortage of long-term financing have restricted the development of this form of medical and dental practice.

*I recommend that the Congress consider legislation now pending making mortgage insurance available for group practice facilities.*

The first session of this Congress has liberated our citizens from the haunting fear of an inability to meet the cost of medical care in their later years. This landmark legislation assures that community hospitals, physicians, and others who provide for their health will be paid the reasonable cost and customary charges for such services. I propose that this same principle be extended to the care of patients in our own Federal hospitals and I recommend legislation to permit the reimbursement of these hospitals in the same manner.

#### IV. TO TRAIN NEEDED HEALTH WORKERS

Trained men and women continue to be in critically short supply in the field of health. Congress has already acted to help meet that need by enacting—

the Health Professions Educational Assistance Act to provide assistance to both schools and students;

the Nurse Training Act to provide Federal aid to increase the supply of professional nurses; and

the Vocational Education Act to provide for training of practical nurses and other health workers.

But critical specialties remain dangerously understaffed—medical technologists, biomedical engineers, dental hygienists, and other college-trained health workers.

These personnel, allied with doctors, dentists, and nurses, constitute the modern health care team. They extend the reach and the scope of the physician.

*I recommend a 3-year program to provide grants for training in allied health professions—*

to construct and to improve needed educational facilities;

to offer fellowships for students in advanced training; and

to stimulate institutions to develop new types of health personnel.

Last year, in the Higher Education Act of 1965, Congress enlisted the resources of our private banking community to make low-interest student loans. By this means, greatly increased financial assistance can be provided at minimal cost.

*I recommend legislation to convert the health professions student loan program to privately financed and federally subsidized loans for students in the health professions.*

#### V. TO ADVANCE RESEARCH

Over the past 10 years, Congress has increased the budget for health research thirteenfold. The dividends from this investment are incalculable. Miraculous progress in medical discovery is making possible—

development of support devices for the failing heart—and even replacement of a human heart by an artificial organ;

advances toward the cure of cancers such as childhood leukemia and Hodgkin's disease;

development of a less expensive and more efficient treatment for kidney failure; and

isolation of viruses causing respiratory infections and production of vaccines to immunize against them.

My fiscal 1967 budget provides increased funds for health research. If research makes major new breakthroughs in lifesaving discoveries, I will submit requests for necessary additional funds. My overall budget provides for this contingency.

## VI. TO MEET SPECIAL HEALTH PROBLEMS

### 1. *Mental retardation*

We have begun to ease the tragic burden of the mentally retarded and their families. By construction of research and service facilities, and by support of State programs, the Federal Government helps combat this dread handicap.

We shall continue our increasing attack on this problem. It deserves the concern and attention of our most able specialists. Therefore, I intend to appoint a Committee on Mental Retardation to assess our progress, to seek out new and better ways to cope with this terrible disability, and to recommend a long-range and comprehensive plan of action.

### 2. *Nutrition for the needy*

It is hard to teach a hungry child. This fact, known to parents and teachers alike, underlies the school lunch program throughout the Nation.

This year 18 million schoolchildren will enjoy lunches prepared and served in their schools under this program. Yet too many children still fail to get a good lunch even though the cost is low. Some cannot afford the 25- to 35-cent lunch charge. Others in low-income districts go to schools which lack lunch facilities.

Demonstration programs conducted in poverty areas in Colorado and North Carolina provided lunches this year at sharply reduced rates. The results were amazing. Virtually all the children purchased the school lunch—less than one-third had done so before. The children were more alert and interested in learning. The absentee rate fell by as much as 37 percent. School dropouts were reduced.

Too little of the Federal assistance in the school lunch program has been directed toward children who need it most. Too much of our subsidy, particularly in the special milk program, goes to children who already get a federally supported school lunch, including milk, and whose parents can afford to pay for additional milk.

I am submitting to the Congress the Child Nutrition Act of 1966 to redirect our efforts to provide food to those who need it most. The act will—

- extend the school lunch program to more needy children and give greater flexibility in providing low cost or no cost meals;
- assist schools serving low-income districts to acquire kitchen and lunchroom facilities;

- provide pilot school breakfast programs for those children who start the day hungry;

- direct the special milk program to those schools without food service, to schools serving children from low-income families, and to needy schoolchildren at whatever school they attend;



start demonstration summer programs to provide food service for needy children at child-care centers and playgrounds; and help State educational agencies strengthen their staffs to improve child nutrition programs.

I am requesting \$50 million from the Congress for programs designed to provide adequate nutrition for disadvantaged children. This money is an addition to the \$329 million in cash and commodities already included in the budget for school nutrition programs. The total Federal program of \$379 million is a major redirection of our child nutrition efforts to children who otherwise would grow up hungry, suffer the diseases that come from being ill nourished, and lack the energy so essential to learning.

No child in an affluent America should be without an adequate diet. The new program will move us far toward that goal. But it will not do the job alone.

I am directing the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Agriculture and the Director of the Office of Economic Opportunity, to examine means by which the benefits of sound nutrition can be extended to every child who needs our help.

We now know that among elderly Americans, a poor diet is a root cause of poor health. It adds to the burden of our hospitals and health manpower. It contributes unnecessary misery to the burdens of old age.

I have directed the Secretary of Health, Education, and Welfare to initiate a special food service program at multipurpose centers authorized by the Older Americans Act of 1965. Local organizations will be able to offer balanced, nutritious meals to the elderly—without charge or at reduced prices to those who are in need.

### 3. *Alcoholism*

The alcoholic suffers from a disease which will yield eventually to scientific research and adequate treatment. Even with the present limited state of our knowledge, much can be done to reduce the untold suffering and uncounted waste caused by this affliction.

I have instructed the Secretary of Health, Education, and Welfare to—

- appoint an Advisory Committee on Alcoholism;
- establish in the Public Health Service a center for research on the cause, prevention, control, and treatment of alcoholism;
- develop an education program in order to foster public understanding based on scientific fact; and
- work with public and private agencies on the State and local level to include this disease in comprehensive health programs.

### 4. *Family planning*

We have a growing concern to foster the integrity of the family, and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience.

In the fiscal 1967 budget, I have requested a sizable increase in funds available for research, training, and services in this field. The National Institute for Child Health and Human Development will expand its own research and its grant program to study human



reproduction. The Children's Bureau and the Office of Economic Opportunity will support family planning to the maternal and infant care programs in local communities when requested. State agencies will be aided by Federal welfare funds to provide family planning services to mothers.

### EDUCATION

I have proposed a total Federal investment in education and training during the coming year in excess of \$10 billion—a threefold increase since 1961.

Our education programs must be administered wisely and well. Shortly after passage of the Elementary and Secondary Education Act of 1965, I directed that the Office of Education be reorganized to carry out its expanded responsibilities more effectively and efficiently. This reorganization has now been completed.

In addition, we established the new post of Assistant Secretary for Education in the Department of Health, Education, and Welfare to strengthen program coordination throughout the Government.

The Congress has already put this Nation on the path toward the achievement of goals to—

1. extend special educational help to 12 million disadvantaged and handicapped children;
2. eliminate illiteracy within a decade;
3. bring public library services to 15 million more Americans;
4. reduce by half the rate of high school dropouts over the next 5 years;
5. guarantee the opportunity for education beyond high school on the basis of ability to learn, rather than ability to pay; and
6. provide college building and facilities to meet the needs of 9 million students expected by 1975.

Full educational opportunity for every citizen requires that we build on the beginnings we have already made. I recommend measures—

- to expand the Head Start program for preschool children;
- to strengthen the Elementary and Secondary Education Act of 1965;
- to expand Federal assistance to higher education; and
- to improve the Nation's libraries.

#### I. TO EXPAND THE HEAD START PROGRAM FOR PRESCHOOL CHILDREN

Few programs have had the visible success of Operation Head Start. The disadvantaged children who have benefited from this program are already entering first grade—with new confidence in themselves and greater eagerness to learn.

I have requested funds almost to double the Head Start program during the coming year to insure—

- full year programs for 210,000 children; and
- summer programs for 500,000 children.

This marks a significant step in providing greatly expanded pre-school assistance for 5-year-olds from disadvantaged homes, and summer nursery programs for 3- and 4-year-olds.

## II. TO STRENGTHEN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Though funded only 4 months ago, the Elementary and Secondary Education Act of 1965 has already begun to bring its benefits to the Nation:

Special help is being provided the disadvantaged—remedial teaching, health and food services, augmented teaching, and counseling staffs.

More books—interesting and up to date—have begun to appear on school library shelves.

New approaches to old problems are being tried; instruction for the student extends beyond the classroom—to museums, hospitals, factories.

Regional education laboratories are being developed to stimulate new techniques of teaching and learning in our schools.

State educational agencies are strengthening their staffs and assuming greater responsibilities.

Educational deprivation cannot be overcome in a year. And quality cannot be achieved overnight.

*I propose that the Elementary and Secondary Education Act be extended for 4 years.*

My budget includes increased funds for each title of the act.

In addition, I propose that coverage of the act be enlarged—

to raise from \$2,000 to \$3,000 the family income formula for allocating aid for education of the disadvantaged commencing in fiscal 1968; and

to earmark additional funds for child of American Indians and migrant workers.

Careful study of the "incentive grant" provision of title I shows that payments would be made to many districts unrelated to need.

*I therefore recommend repeal of the "incentive grant" provisions of title I in order to focus Federal aid on basic grants to more than 20,000 local school districts.*

Too many schools in urban and rural slums are ancient and in disrepair. Obsolete schools aggravate the problem of eliminating de facto segregation in our northern communities, thus depriving children of full educational opportunities.

There is a pressing need for long-range, community-wide planning to bring innovation and imagination in school construction.

*I propose that \$5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation.*

A recently completed study of the federally impacted area program, requested by Congress, has concluded that certain provisions should be revised.

I recommend revision of the existing law—

to require school districts to absorb a uniform and fair share of the burden of educating children in federally affected districts;

to base payments on school expenditures in local districts rather than on National or State average per-pupil cost; and

to eliminate eligibility for Federal impacted area assistance in those cases where Government property is leased to private enterprises that pay local taxes.



## III. HIGHER EDUCATION

Today, young people are seeking advanced learning in greater numbers than ever before; 1,430,000 new students will enter our colleges next September—more than the total enrollment only 20 years ago.

Our colleges and universities must keep pace with this growing influx of young Americans. And the Federal Government must be prepared to continue its assistance.

*I recommend extension of the Higher Education Facilities Act for 3 more years, with authorization of \$458 million for construction grants for fiscal 1967.*

In a society that is growing more complex, advanced training is essential; 640,000 students will enroll in universities and institutions across the Nation at the postgraduate level next fall. This number will grow by another quarter million in the next 5 years.

*I recommend that the grant program for graduate facilities be continued and I propose that \$200 million be made available for loans to build both undergraduate and graduate facilities.*

In addition, I will soon send to Congress legislation to permit more effective use of Federal resources in certain loan programs by applying credit from private financial institutions. This will make possible an additional \$100 million for academic facility loans in fiscal 1967.

One out of every four of our institutions of higher learning is not good enough to get accreditation. Congress recognized this need last year by providing assistance to developing colleges.

*I recommend that title III of the Higher Education Act of 1965 be continued for 2 years, with its authorization increased from \$5 million to \$30 million next year.*

By June, 890,000 students at 1,700 institutions will have borrowed \$800 million to invest in college education under the student loan program of the National Defense Education Act. Last year, Congress expanded the opportunity for student loans by establishing a subsidized program through the Nation's private banking system. Together with opportunity grants and the work-study programs, there now exists a wide range of student-assistance programs to help finance higher education.

To increase loan funds available to students who want college educations, I recommend the conversion of the direct loan program to a program in which loans will be made from funds provided by the private capital market, with the Government subsidizing these loans. The teacher "forgiveness" features for students eligible under the national defense education program will be retained.

*I am proposing an orderly transition to the new student loan program so that no eligible student will be deprived of the needed financial assistance, and I will ask for the necessary funds to accomplish this purpose.*

I also recommend that the "forgiveness" provision be extended to medical personnel who will settle in rural areas where the doctor shortage is most critical.

There are more than 12,000 unfilled vacancies for qualified social workers, at a time when we need their skills more than ever before. These workers are important to the success of our poverty, health, and education programs.



A task force on social work manpower and education has just completed an extensive study of the problem. I have asked the Secretary of Health, Education, and Welfare to consult with educational leaders and other specialists and to submit recommendations to me to overcome this shortage in the ranks of our social workers.

#### IV. TO IMPROVE THE NATION'S LIBRARIES

Those who do not read are not much better off than those who cannot read. More than 100 million Americans have inadequate public library services. More than 15 million have none at all.

A library must be a living institution with trained staff and funds to obtain new books, periodicals, films, records, and other material.

As the boundaries of learning are pushed back, our need for storehouses of knowledge grows greater. They offer man his link with the past and his vision of the future.

Most public libraries in the United States are poorly equipped to perform this vital role.

*I recommend that Congress extend the Library Services and Construction Act for 5 more years, authorizing \$57.5 million for fiscal 1967.*

#### DEPARTMENT OF THE PEOPLE

Through the programs entrusted to its care, the Department of Health, Education, and Welfare exercises continuing concern for the social well-being of all our people. Already, as I have indicated in this message, it has become possible to set ambitious goals for the future.

To improve our ability to chart our progress, I have asked the Secretary to establish within his Office the resources to develop the necessary social statistics and indicators to supplement those prepared by the Bureau of Labor Statistics and the Council of Economic Advisers. With these yardsticks, we can better measure the distance we have come and plan for the way ahead.

In health and education, we build with a double purpose: to meet today's needs, and to match tomorrow's hopes.

We look toward the time—

when every disease which need not happen will not happen;  
when every citizen can confidently expect care—competent,  
convenient care—if he is ill or injured; and

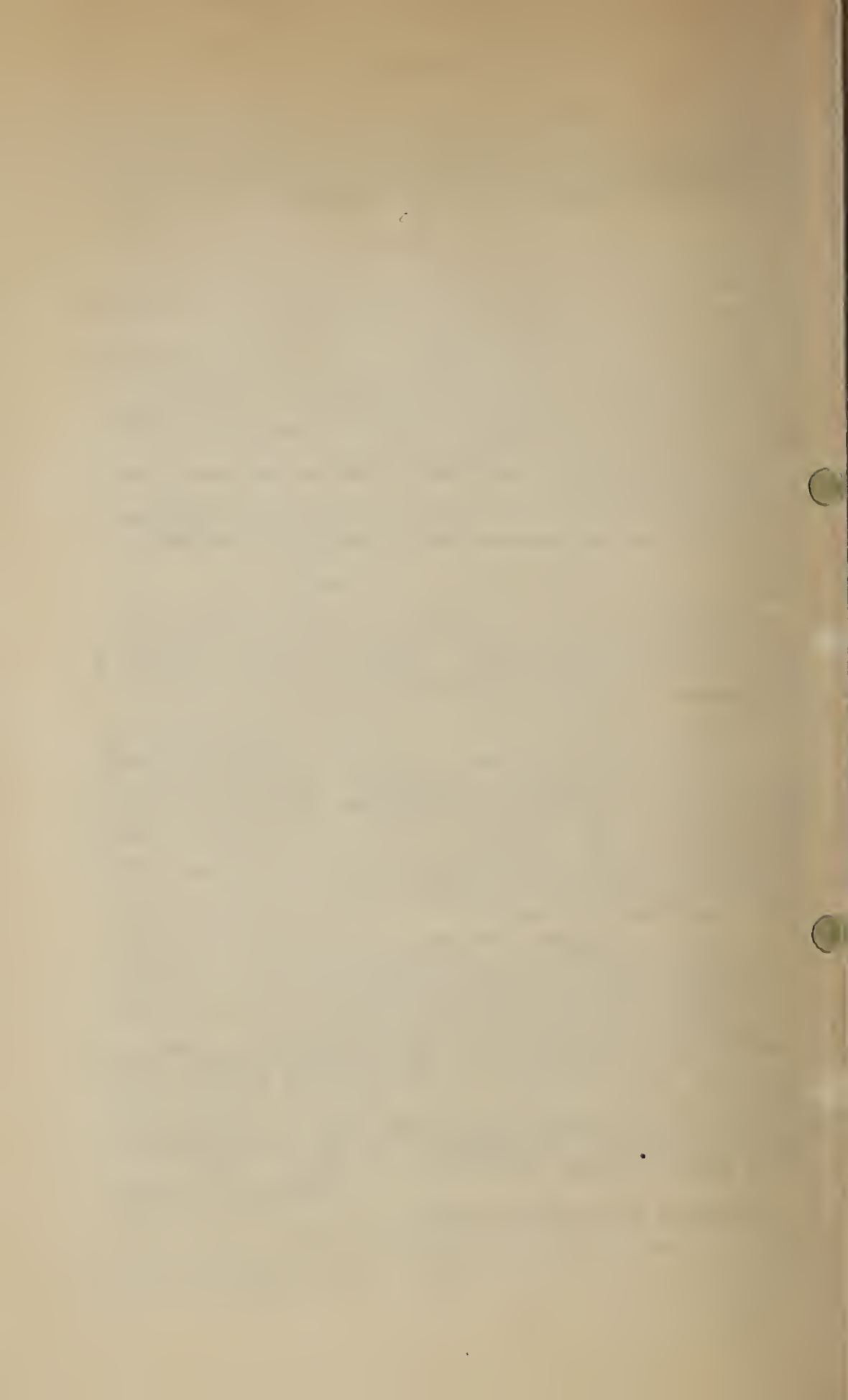
when every American receives the education and training he  
wants to enrich his life and fulfill his hopes.

With pain and ignorance no longer such fearsome enemies, our people will find a new freedom. Our society will be great as never before.

It is too early for self-congratulations. We must continue to plan and act. We march in a campaign which can have no retreats, no truce, no end, only new victories.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 1, 1966.





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 89<sup>th</sup> CONGRESS, SECOND SESSION

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WASHINGTON, TUESDAY, MARCH 1, 1966

No. 36

## Senate

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Rabbi Eliezer Wolfish, Northeast Jewish Center of Yonkers, Yonkers, N.Y., offered the following prayer:

Av Horachamin Shochen Bamromin. God of mercy, who dwellest on high: In Thy fatherly care do we place our faith and our trust. Unto Thee our eyes are turned in humble supplication, and unto Thee our hearts are grateful for the abundance of blessings that Thou dost bestow upon us citizens of this great democracy. Guard and protect the members of our Armed Forces in Vietnam and throughout the rest of the world.

Help us, O Heavenly Father, never to become casual, or to lose our sensibility, consciousness, and appreciation of Thy grace in permitting us to live and toil in a free and unshackled society. No greater gift can man ask; no greater gift can man receive.

O gracious Father, verily it was Thou who didst inspire man and give him the superlative intellect to solve the awesome mysteries in realms on high and in the areas beyond the horizon.

At the same time, we implore Thee to stir and move us to search for answers in the innermost recesses of our hearts, so that we may ferret out all vestiges of inhuman discriminations and unspeakable cruelties that are untenable in this advanced stage of civilization.

Finally, we ask Thy blessings upon the President and the Vice President of these United States, and upon our legislators. Concretize their aspirations to eradicate poverty and disease from this Nation of plenty. Crystallize their hopes for a tolerant society. Answer their prayers that accompany their efforts to bring serenity, sobriety, and peace to a confused and despairing world.

All this we ask in Thy name, O Thou who art above us. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 28, 1966, was dispensed with.

### LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

### COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Aeronautical and Space Sciences.

The Subcommittee on Improvements in the Judiciary Machinery of the Committee on the Judiciary.

The Subcommittee on Constitutional Rights of the Committee on the Judiciary.

The Subcommittee on Civil Service of the Committee on Post Office and Civil Service.

The Aviation Subcommittee of the Committee on Commerce.

On request of Mr. SMATHERS, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

### COMMITTEE MEETING DURING SESSION OF THE SENATE TOMORROW

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate tomorrow.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

### HEALTH AND EDUCATION—MESSAGE FROM THE PRESIDENT—(H. DOC. NO. 395)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a

message from the President of the United States on health and education. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Labor and Public Welfare, as follows:

*To the Congress of the United States:*

A nation's greatness is measured by its concern for the health and welfare of its people. Throughout the history of our democracy, this commitment has grown and deepened.

The education of our people is a national investment. The health of our people is essential to the pursuit of happiness.

Today we can set ambitious goals for the future: Full education for every citizen to the limits of his capacity to absorb it; good health for every citizen to the limits of our country's capacity to provide it.

The 88th and 89th Congresses have moved toward these goals. During the past three sessions, Congress has: Enacted 20 landmark measures in health and 19 in education; doubled the appropriations for health programs and increased the budget for our Office of Education more than fivefold.

The achievements of the past 3 years promise a dramatic enrichment of American life. They already include in the field of health:

1. The medicare program which, on July 1, will make benefits available to more than 19 million older Americans.
2. Health services for more than 200,000 migrant workers in 34 States.
3. Maternal and infant care for mothers and children previously receiving inadequate services.
4. Expanded services for crippled children.
5. Thirty-two new clinics for retarded children.
6. Construction assistance for 1,300 hospital and health facilities to add more than 56,000 new hospital beds.
7. Financial support for more than 16,000 medical research projects and advanced training for 25,000 scientists.
8. Construction starts for 62 institutions to enroll more than 2400 additional



students each year for training in the health professions.

Our achievements in education are equally impressive. Among them are:

1. Funds to improve educational opportunities for nearly 7.5 million underprivileged children in 20,000 school districts.

2. Summer Headstart programs for 560,000 preschool children in 13,350 community education projects and year-round programs for 120,000 children.

3. Textbooks and other learning materials for more than 40 million children in every State.

4. College work study programs for more than 110,000 needy college students.

5. Construction aid for 1300 institutions of higher learning—including new classrooms, laboratories, and libraries.

6. 12 million books to improve public libraries and training programs for more than 400 librarians.

#### HEALTH

With these programs and those I am recommending today, we can move closer to attainment of our goals: To bring every child the care he needs to develop his capacity to the fullest. To reduce infant mortality, concentrating particularly on those minority groups whose death rate is highest. To eradicate major communicable diseases as a threat to life and health in the United States. To reduce the burden of mental illness, and mental retardation. To cut the toll of the three great killers—heart disease, cancer, and stroke.

The health budget which I have proposed for fiscal year 1967 is \$4.67 billion—an increase of almost \$1 billion. In addition, more than \$3 billion in social security trust funds will be spent under medicare to assist our older citizens.

Funds for health, manpower, facilities, and services are up \$707 million. Funds for environmental activities and consumer protection are up \$158 million. Funds for health research activities are up \$78 million.

To insure continuing progress, we must: Improve the administration of Federal health activities. Develop comprehensive health planning and services on the State and community level. Strengthen our system of health care. Train needed health workers. Increase our research efforts. Take additional steps to meet special health problems.

#### I. TO IMPROVE ADMINISTRATION OF FEDERAL HEALTH SERVICES

Our first concern must be the efficient and effective administration of the Federal health programs.

Over the last 12 years the budget of the Public Health Service for research, training, and services has grown almost tenfold—from \$250 million to \$2.4 billion. Yet major elements of the basic structure of the Public Health Service remain set by a law that is more than 20 years old.

The Secretary of Health, Education, and Welfare and the Surgeon General of the United States have consulted leading experts—physicians, administrators, scientists, and public health specialists—in a thorough search for the best means to improve the administration of Federal

health programs. They all agree that the need to modernize the administration of the Public Health Service is urgent.

To fulfill that need, I will shortly submit to Congress a proposed reorganization of the health functions of the Department of Health, Education, and Welfare.

The ultimate success of Federal health programs depends on the men and women who direct them. At present, the personnel system of the Public Health Service is inadequate to recruit and retain the talent needed for its rapidly changing and expanding role.

I will recommend legislation to improve the personnel system of the Public Health Service.

This legislation will: promote career development, encourage more flexible use of health workers, provide them with broader opportunities, stimulate higher standards of performance.

#### II. TO DEVELOP COMPREHENSIVE HEALTH PLANNING AND SERVICES ON THE STATE AND COMMUNITY LEVEL

The focus of our efforts is the individual and his family, living in their own community. To meet their health needs requires the cooperation of many agencies, institutions, and experts—of State and local government, of doctors, nurses, and paramedical personnel.

These are the frontline fighters in our battle against disease, disability, and death. As in military battle, a winning strategy demands wise and well-planned use of manpower. It demands coordinated use of all the resources available.

I recommend to Congress a program of grants to enable States and communities to plan the better use of manpower, facilities, and financial resources for comprehensive health services.

At present, the Federal Government offers the States formula grants for categorical programs dealing with specific diseases. This leads to an unnecessarily rigid and compartmentalized approach to health problems.

Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

I recommend a program to initiate new State formula grants for comprehensive public health services. This program would begin in fiscal 1968.

At the same time, we must recognize that special health problems occur in some parts of our Nation and not in others. Certain diseases, such as tuberculosis and venereal disease, are concentrated in metropolitan communities. Others, such as rabies and parasitic diseases, are prevalent in certain geographic areas.

Resources to serve health needs are not evenly distributed throughout the Nation. Special problems arise in remote rural areas and in the city slums. We need greater flexibility to pinpoint our attack.

To make certain we have that flexibility, I recommend a program, to commence in fiscal 1968, of grants to States, communities, medical schools, and hospitals to meet special health problems.

#### III. TO STRENGTHEN OUR SYSTEM OF HEALTH CARE

The Hill-Burton program for hospital construction is an outstanding example of creative federalism in action. Now in its 19th year, this Federal-State-local partnership has added more than 300,000 hospital and nursing home beds to our Nation and more than 2,000 other health facilities in areas of great need.

My budget requests the full authorization of \$270 million for facilities construction under the Hill-Burton Act.

Medical advances demand new equipment and up-to-date laboratories. Intensive-care units, as well as ambulatory and extended care facilities, require changes in the structure and function of aging hospitals, particularly in urban areas.

General hospitals containing 260,000 beds—one-third of our Nation's—are now in obsolete condition.

When medicare becomes operative this July, the pressure on many hospitals will grow even more intense.

To begin to meet this urgent need, I recommend legislation to mobilize public and private resources to revitalize our obsolete hospitals. This will require a loan and grant program to assist in the long-term financing of hospital renewal projects.

The need for modernization goes beyond the bricks and mortar of construction. We must find new ways to lower the cost and raise the quality of health care, to organize health services more efficiently, to develop information systems. It will take the combined efforts of university, hospital, industry, group practice clinics, and many other organizations.

I am directing the Secretary of Health, Education, and Welfare to conduct systems analyses and other studies to determine the most effective means of bringing high quality medical services to all the people at the lowest cost.

I also propose a 5-year program of grants for research and demonstration projects in the organization, financing, utilization, and delivery of health services.

As medical practice becomes more complex, specialization becomes more common. The number of general practitioners is declining—66,000 today compared to 95,000 15 years ago. In 1950, there was 1 family physician for every 1,600 Americans. Today 2,900 Americans must depend on 1 family doctor.

Group practice benefits both physicians and patients. It makes expert health care more accessible for the patient. It enables the physician to draw on the combined talents of his colleagues.

High initial capital requirements and a shortage of long-term financing have restricted the development of this form of medical and dental practice.

I recommend that the Congress consider legislation now pending making mortgage insurance available for group practice facilities.

The first session of this Congress has liberated our citizens from the haunting fear of an inability to meet the cost of medical care in their later years. This



landmark legislation assures that community hospitals, physicians, and others who provide for their health will be paid the reasonable cost and customary charges for such services. I propose that this same principle be extended to the care of patients in our own Federal hospitals and I recommend legislation to permit the reimbursement of these hospitals in the same manner.

#### IV. TO TRAIN NEEDED HEALTH WORKERS

Trained men and women continue to be in critically short supply in the field of health. Congress has already acted to help meet that need by enacting: The Health Professions Educational Assistance Act to provide assistance to both schools and students. The Nurse Training Act to provide Federal aid to increase the supply of professional nurses. The Vocational Education Act to provide for training of practical nurses and other health workers.

But critical specialties remain dangerously understaffed—medical technologists, biomedical engineers, dental hygienists, and other college-trained health workers.

These personnel, allied with doctors, dentists, and nurses, constitute the modern health care team. They extend the reach and the scope of the physician.

I recommend a 3-year program to provide grants for training in allied health professions: To construct and to improve needed educational facilities. To offer fellowships for students in advanced training. To stimulate institutions to develop new types of health personnel.

Last year, in the Higher Education Act of 1965, Congress enlisted the resources of our private banking community to make low-interest student loans. By this means, greatly increased financial assistance can be provided at minimal cost.

I recommend legislation to convert the health professions student loan program to privately financed and federally subsidized loans for students in the health professions.

#### V. TO ADVANCE RESEARCH

Over the past 10 years, Congress has increased the budget for health research thirteenfold. The dividends from this investment are incalculable. Miraculous progress in medical discovery is making possible: Development of support devices for the failing heart—and even replacement of a human heart by an artificial organ. Advances toward the cure of cancers such as childhood leukemia and Hodgkin's disease. Development of a less expensive and more efficient treatment for kidney failure. Isolation of viruses causing respiratory infections and production of vaccines to immunize against them.

My fiscal 1967 budget provides increased funds for health research. If research makes major new breakthroughs in lifesaving discoveries, I will submit requests for necessary additional funds. My overall budget provides for this contingency.

#### VI. TO MEET SPECIAL HEALTH PROBLEMS

1. Mental retardation: We have begun to ease the tragic burden of the mentally

retarded and their families. By construction of research and service facilities, and by support of State programs, the Federal Government helps combat this dread handicap.

We shall continue our increasing attack on this problem. It deserves the concern and attention of our most able specialists. Therefore, I intend to appoint a Committee on Mental Retardation to assess our progress, to seek out new and better ways to cope with this terrible disability, and to recommend a long-range and comprehensive plan of action.

2. Nutrition for the needy: It is hard to teach a hungry child. This fact, known to parents and teachers alike, underlies the school lunch program throughout the Nation.

This year 18 million schoolchildren will enjoy lunches prepared and served in their schools under this program. Yet too many children still fail to get a good lunch even though the cost is low. Some cannot afford the 25- to 35-cent lunch charge. Others in low-income districts go to schools which lack lunch facilities.

Demonstration programs conducted in poverty areas in Colorado and North Carolina provided lunches this year at sharply reduced rates. The results were amazing. Virtually all the children purchased the school lunch—less than one-third had done so before. The children were more alert and interested in learning. The absentee rate fell by as much as 37 percent. School dropouts were reduced.

Too little of the Federal assistance in the school lunch program has been directed toward children who need it most. Too much of our subsidy, particularly in the special milk program, goes to children who already get a federally supported school lunch, including milk, and whose parents can afford to pay for additional milk.

I am submitting to the Congress the Child Nutrition Act of 1966 to redirect our efforts to provide food to those who need it most. The act will:

Extend the school lunch program to more needy children and give greater flexibility in providing low cost or no cost meals.

Assist schools serving low-income districts to acquire kitchen and lunchroom facilities.

Provide pilot school breakfast programs for those children who start the day hungry.

Direct the special milk program to those schools without food service, to schools serving children from low-income families, and to needy schoolchildren at whatever school they attend.

Start demonstration summer programs to provide food service for needy children at child-care centers and playgrounds.

Help State educational agencies strengthen their staffs to improve child nutrition programs.

I am requesting \$50 million from the Congress for programs designed to provide adequate nutrition for disadvantaged children. This money is an addition to the \$329 million in cash and com-

modities already included in the budget for school nutrition programs. The total Federal program of \$379 million is a major redirection of our child nutrition efforts to children who otherwise would grow up hungry, suffer the diseases that come from being ill-nourished, and lack the energy so essential to learning.

No child in an affluent America should be without an adequate diet. The new program will move us far toward that goal. But it will not do the job alone.

I am directing the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Agriculture and the Director of the Office of Economic Opportunity, to examine means by which the benefits of sound nutrition can be extended to every child who needs our help.

We now know that among elderly Americans, a poor diet is a root cause of poor health. It adds to the burden of our hospitals and health manpower. It contributes unnecessary misery to the burdens of old age.

I have directed the Secretary of Health, Education, and Welfare to initiate a special food service program at multipurpose centers authorized by the Older Americans Act of 1965. Local organizations will be able to offer balanced, nutritious meals to the elderly—without charge or at reduced prices to those who are in need.

#### 3. Alcoholism:

The alcoholic suffers from a disease which will yield eventually to scientific research and adequate treatment. Even with the present limited state of our knowledge, much can be done to reduce the untold suffering and uncounted waste caused by this affliction.

I have instructed the Secretary of Health, Education, and Welfare to: Appoint an Advisory Committee on Alcoholism; establish in the Public Health Service a center for research on the cause, prevention, control, and treatment of alcoholism; develop an education program in order to foster public understanding based on scientific fact; work with public and private agencies on the State and local level include this disease in comprehensive health programs.

#### 4. Family planning:

We have a growing concern to foster the integrity of the family, and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience.

In the fiscal 1967 budget, I have requested a sizable increase in funds available for research, training, and services in this field. The National Institute for Child Health and Human Development will expand its own research and its grant program to study human reproduction. The Children's Bureau and the Office of Economic Opportunity will support family planning to the maternal and infant care programs in local communities when requested. State agencies will be aided by Federal welfare funds to provide family planning services to mothers.



## EDUCATION

I have proposed a total Federal investment in education and training during the coming year in excess of \$10 billion—a threefold increase since 1961.

Our education programs must be administered wisely and well. Shortly after passage of the Elementary and Secondary Education Act of 1965, I directed that the Office of Education be reorganized to carry out its expanded responsibilities more effectively and efficiently. This reorganization has now been completed.

In addition, we established the new post of Assistant Secretary for Education in the Department of Health, Education, and Welfare to strengthen program coordination throughout the Government.

The Congress has already put this Nation on the path toward the achievement of goals to:

1. Extend special educational help to 12 million disadvantaged and handicapped children;
2. Eliminate illiteracy within a decade;
3. Bring public library services to 15 million more Americans;
4. Reduce by half the rate of high school dropouts over the next 5 years;
5. Guarantee the opportunity for education beyond high school on the basis of ability to learn, rather than ability to pay;
6. Provide college building and facilities to meet the needs of 9 million students expected by 1975.

Full educational opportunity for every citizen requires that we build on the beginnings we have already made. I recommend measures: To expand the Headstart program for preschool children; to strengthen the Elementary and Secondary Education Act of 1965; to expand Federal assistance to higher education; to improve the Nation's libraries.

#### I. TO EXPAND THE HEADSTART PROGRAM FOR PRESCHOOL CHILDREN

Few programs have had the visible success of Operation Headstart. The disadvantaged children who have benefited from this program are already entering first grade—with new confidence in themselves and greater eagerness to learn.

I have requested funds almost to double the Headstart program during the coming year to insure: full-year programs for 210,000 children; summer programs for 500,000 children.

This marks a significant step in providing greatly expanded preschool assistance for 5-year-olds from disadvantaged homes, and summer nursery programs for 3- and 4-year-olds.

#### II. TO STRENGTHEN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Though funded only 4 months ago, the Elementary and Secondary Education Act of 1965 has already begun to bring its benefits to the Nation.

Special help is being provided the disadvantaged—remedial teaching, health and food services, augmented teaching and counseling staffs.

More books—interesting and up to date—have begun to appear on school library shelves.

New approaches to old problems are being tried; instruction for the student extends beyond the classroom—to museums, hospitals, factories.

Regional education laboratories are being developed to stimulate new techniques of teaching and learning in our schools.

State educational agencies are strengthening their staffs and assuming greater responsibilities.

Educational deprivation cannot be overcome in a year. And quality cannot be achieved overnight.

I propose that the Elementary and Secondary Education Act be extended for 4 years.

My budget includes increased funds for each title of the act.

In addition, I propose that coverage of the act be enlarged to raise from \$2,000 to \$3,000 the family income formula for allocating aid for education of the disadvantaged commencing in fiscal 1968, to earmark additional funds for children of American Indians and migrant workers.

Careful study of the "incentive grant" provision of title I shows that payments would be made to many districts unrelated to need.

I therefore recommend repeal of the "incentive grant" provision of title I in order to focus Federal aid on basic grants to more than 20,000 local school districts.

Too many schools in urban and rural slums are ancient and in disrepair. Obsolete schools aggravate the problem of eliminating de facto segregation in our northern communities, thus depriving children of full educational opportunities.

There is a pressing need for long-range, communitywide planning to bring innovation and imagination in school construction.

I propose that \$5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation.

A recently completed study of the federally impacted area program, requested by Congress, has concluded that certain provisions should be revised.

I recommend revision of the existing law to require school districts to absorb a uniform and fair share of the burden of educating children in federally affected districts; to base payments on school expenditures in local districts rather than on National or State average per pupil cost; to eliminate eligibility for Federal impacted area assistance in those cases where Government property is leased to private enterprises that pay local taxes.

#### III. HIGHER EDUCATION

Today, young people are seeking advanced learning in greater numbers than ever before. One million four hundred and thirty thousand new students will enter our colleges next September—more than the total enrollment only 20 years ago.

Our colleges and universities must keep pace with this growing influx of young Americans. And the Federal Government must be prepared to continue its assistance.

I recommend extension of the Higher Education Facilities Act for 3 more years, with authorization of \$458 million for construction grants for fiscal 1967.

In a society that is growing more complex, advanced training is essential. Six hundred and forty thousand students will enroll in universities and institutions across the Nation at the postgraduate level next fall. This number will grow by another quarter million in the next 5 years.

I recommend that the grant program for graduate facilities be continued, and I propose that \$200 million be made available for loans to build both undergraduate and graduate facilities.

In addition, I will soon send to Congress legislation to permit more effective use of Federal resources in certain loan programs by applying credit from private financial institutions. This will make possible an additional \$100 million for academic facility loans in fiscal 1967.

One out of every four of our institutions of higher learning is not good enough to get accreditation. Congress recognized this need last year by providing assistance to developing colleges.

I recommend that title III of the Higher Education Act of 1965 be continued for 2 years, with its authorization increased from \$5 million to \$30 million next year.

By June, 890,000 students at 1,700 institutions will have borrowed \$800 million to invest in college education under the student loan program of the National Defense Education Act. Last year, Congress expanded the opportunity for student loans by establishing a subsidized program through the Nation's private banking system. Together with opportunity grants and the work-study programs, there now exists a wide range of student-assistance programs to help finance higher education.

To increase loans, funds available to students who want college educations, I recommend the conversion of the direct loan program to a program in which loans will be made from funds provided by the private capital market, with the Government subsidizing these loans. The teacher "forgiveness" features for students eligible under the national defense education program will be retained.

I am proposing an orderly transition to the new student loan program so that no eligible student will be deprived of the needed financial assistance, and I will ask for the necessary funds to accomplish this purpose.

I also recommend that the "forgiveness" provision be extended to medical personnel who will settle in rural areas where the doctor shortage is most critical.

There are more than 12,000 unfilled vacancies for qualified social workers, at a time when we need their skills more than ever before. These workers are important to the success of our poverty, health, and education programs.

A Task Force on Social Work, Manpower, and Education has just completed an extensive study of the problem. I have asked the Secretary of Health, Education, and Welfare to consult with educational leaders and other specialists and to submit recommendations to me to



overcome this shortage in the ranks of our social workers.

#### IV. TO IMPROVE THE NATION'S LIBRARIES

Those who do not read are not much better off than those who cannot read. More than 100 million Americans have inadequate public library services. More than 15 million have none at all.

A library must be a living institution with trained staff and funds to obtain new books, periodicals, films, records and other material.

As the boundaries of learning are pushed back, our need for storehouses of knowledge grows greater. They offer man his link with the past and his vision of the future.

Most public libraries in the United States are poorly equipped to perform this vital role.

I recommend that Congress extend the Library Services and Construction Act for 5 more years, authorizing \$57.5 million for fiscal 1967.

#### DEPARTMENT OF THE PEOPLE

Through the programs entrusted to its care, the Department of Health, Education, and Welfare exercises continuing concern for the social well-being of all our people. Already, as I have indicated in this message, it has become possible to set ambitious goals for the future.

To improve our ability to chart our progress, I have asked the Secretary to establish within his office the resources to develop the necessary social statistics and indicators to supplement those prepared by the Bureau of Labor Statistics and the Council of Economic Advisers. With these yardsticks, we can better measure the distance we have come and plan for the way ahead.

In health and education, we build with a double purpose: to meet today's needs, and to match tomorrow's hopes.

We look toward the time when every disease which need not happen will not happen. When every citizen can confidently expect care—competent, convenient care—if he is ill or injured. When every American receives the education and training he wants to enrich his life and fulfill his hopes.

With pain and ignorance no longer such fearsome enemies, our people will find a new freedom. Our society will be great as never before.

It is too early for self-congratulations. We must continue to plan and act. We march in a campaign which can have no retreats, no truce, no end: only new victories.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 1, 1966.

#### REPORT ON U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 178)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

#### To the Congress of the United States:

Pursuant to the provisions of the United Nations Participation Act, I submit herewith the 19th annual report covering U.S. participation in the United Nations during 1964.

This report, like its predecessors, describes the activities of the United Nations agencies and programs that together carry out the aims of the charter: to maintain peace and security, to adjust and settle international disputes, to cooperate in economic and social development, and to promote the self-determination of peoples and worldwide respect for human rights. It also covers legal, administrative, and financial matters at the United Nations.

The activities covered in this report document the commitment of this Nation to the purposes and programs of the United Nations—a commitment demonstrated by the extent and character of our participation in and financial support for a broad range of United Nations activities over the past 20 years.

During 1964 the constitutional-financial crisis in the General Assembly tended to overshadow in the public mind all other affairs at the United Nations. The Assembly was limited to those minor actions which could be taken by unanimous consent without a vote. It is regrettable that a major organ of the United Nations could not function normally. However, the other elements of the United Nations system carried forward.

The Security Council in 1964 had one of its busiest years; it held over 100 meetings and dealt with some of the most intractable problems of peace and security.

It successfully organized the difficult peacekeeping operation in Cyprus, averting the threat of a direct military confrontation between two of our NATO allies, Greece and Turkey.

It aired the Kashmir dispute, the Malaysian charges against Indonesia, and the question of apartheid in South Africa.

It sent a factfinding group to report on the border situation between Cambodia and South Vietnam.

It requested the Secretary General to help the United Kingdom and Yemen resolve their differences over the Yemen-Aden border.

It provided a forum for the United States to explain the action it had taken to counter the attacks by Hanoi against U.S. naval vessels in the international waters of the Gulf of Tonkin. In this connection, regrettably, Hanoi was unwilling to admit that the United Nations had any competence in the conflict in Vietnam. Despite the fact that Hanoi and Peiping rejected United Nations involvement, given its responsibility for international peace and security, the United Nations should clearly be concerned about the conflict in Vietnam. It was with this thought in mind that in San Francisco on June 25, 1965, at the celebration of the 20th anniversary of the United Nations, I urged United Nations members, individually and collectively, to use their influence to bring to the negotiating table all governments

involved in an attempt to halt all aggression and evolve a peaceful solution. I also wrote the Secretary General the following month saying how much I appreciated his efforts to remove the Vietnam dispute from the battlefield to the negotiating table and expressed the hope they would be continued. The Secretary General replied by expressing his determination to pursue such efforts by all means at his disposal.

Elsewhere in the world during 1964 the United Nations continued to maintain several active peacekeeping operations. United Nations peacekeepers continued to police the Sinai and Gaza lines. The United Nations also supervised the borders between Israel and its Arab neighbors, and the truce line in Kashmir between India and Pakistan.

During 1964 the United Nations ended its military (but not its civilian) operation in the Congo and its observer mission in Yemen.

On the economic front, the United Nations Conference on Trade and Development (UNCTAD) during the summer of 1964 was unquestionably the most significant development of the year. It opened a search by the developing nations for trading and financial arrangements designed to accelerate their development. Machinery was established to carry on the dialog within the United Nations among developed and less developed countries concerning international trade and related questions of development. A hopeful sign was the adoption by UNCTAD of a system of mutual adjustment and conciliation designed to achieve a meeting of minds before arriving at decisions on important matters.

The record of operations of United Nations specialized agencies in the economic and social fields was impressive.

The World Bank and its affiliates—the International Development Association and the International Finance Corporation—made loans, credits, and investments totaling over \$1 billion.

The World Health Organization spurred important advances in the worldwide campaigns to eradicate malaria and smallpox and in the field of epidemiology.

The World Meteorological Organization moved ahead toward a projected World Weather Watch—a worldwide cooperative venture to improve man's ability to predict the course of the weather.

The Food and Agriculture Organization dispatched about 1,000 technical experts to member countries to assist in agricultural productivity, pest control, animal health, and rural community development.

As science and technology develop, there will be new opportunities for international cooperation and common undertakings to serve mankind. On October 2, 1964, I proclaimed 1965 International Cooperation Year (ICY) in the United States. To implement our national program for ICY, on November 24, 1964, I named a Cabinet Committee for International Cooperation Year (1965) and called on our national citizens' orga-



nizations to help find new areas for common endeavor against the ancient enemies of mankind—ignorance, poverty, and disease. Every such enterprise helps in some small way to strengthen the fabric of peace. As I said at that time—the quest for peace through cooperation is the “assignment of the century.”

In transmitting this report, I should like to add a more general observation about our policy toward the United Nations. Every President since the founding of the United Nations has expressed the deep commitment of this Nation to the purposes of the Organization. This commitment has been expressed in our dedication to the purposes of the charter and in our participation in the entire range of United Nations operations described in this report.

I reaffirmed our dedication on the occasion of the 20th anniversary of the United Nations at San Francisco on June 25, 1965, when I said:

I come to this anniversary not to speak of futility or failure nor of doubt and despair. I come to raise a voice of confidence in both the future of these United Nations and the fate of the human race.

And let all remember—and none forget—that now more than 50 times in these 20 years the United Nations has acted to keep the peace.

By persuading nations to justify their own conduct before all countries, it has helped, at many times and in many places, to soften the harshness of man to his fellow man.

By confronting the rich with the misery of the poor and the privileged with the despair of the oppressed, it has removed the excuse of ignorance, unmasked the evil of indifference, and has placed an insistent, even though still unfulfilled, responsibility upon the more fortunate of the earth.

By insisting upon the political dignity of man, it has welcomed 63 nations to take their places alongside the 51 original members—a historical development of dramatic import, achieved mainly through peaceful means.

And by binding countries together in the great declarations of the charter, it has given those principles a strengthened vitality in the conduct of the affairs of man.

The record of our participation in the United Nations for 1964—set forth in this report—documents the deeds that support these words.

LYNDON B. JOHNSON,  
THE WHITE HOUSE, March 1, 1966.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

#### MAUD HASTINGS—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 229), which was placed on the calendar:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Maud Hastings, mother of Howard H. Hastings, an employee of the Senate at the time of his death, a sum equal to four months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2994. A bill to amend section 3 (relating to retroactive death gratuity benefits) of the act entitled “An act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes,” approved September 29, 1965; to the Committee on Armed Services.

(See the remarks of Mr. TALMADGE when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE (for himself and Mr. METCALF):

S. 2995. A bill to authorize the President to establish and maintain reserve stocks of agricultural commodities for national security, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

By Mr. RUSSELL of South Carolina:

S. 2996. A bill to amend and clarify the re-employment provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

By Mr. CLARK:

S. 2997. A bill for the relief of Nariko Susan Duke (Nakano); to the Committee on the Judiciary.

By Mr. FONG (for himself, Mr. BARTLETT, Mr. GRUENING, and Mr. INOUYE):

S. 2998. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska, Hawaii, or the Philippines; to the Committee on Labor and Public Welfare.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 2999. A bill to repeal section 6 of the Southern Nevada Project Act (act of October 22, 1965 (79 Stat. 1068)); to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 3000. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State under specified conditions; to the Committee on Government Operations.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S.J. Res. 141. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. SCOTT when he introduced the above joint resolution, which appear under a separate heading.)

#### RESOLUTIONS

##### MAUDE HASTINGS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 229) to pay a gratuity to Maud Hastings, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading “Reports of Committees.”)

#### INVESTIGATION OF THE INTERSTATE HIGHWAY SYSTEM

Mr. CURTIS submitted the following resolution (S. Res. 230); which was referred to the Committee on Public Works:

S. RES. 230

*Resolved*, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete and comprehensive study and investigation of the National System of Interstate and Defense Highways (hereinafter referred to as the Interstate System). Such study and investigation shall include but shall not be limited to:

(1) The administration of the Interstate System program by the States with respect to the cost and quality of construction, planning and engineering specifications including planning and specifications of highways and bridges to withstand anticipated one-hundred-year-cycle floods and other disasters, the expenditure of funds and any irregularities in connection therewith, purchase of rights-of-way, overhead and administrative costs, and comparative costs among the States.

(2) Proposed extensions and additions to the Interstate System, including north-south routes for areas not now so served and plans for the construction of spurs and the filling of gaps in the presently authorized Interstate System to the end that the system will serve a greater portion of the population.

(3) The extent to which expenditures for the Interstate System have exceeded the original estimates and the reasons therefor.

(4) The future maintenance of the Interstate System and its financing.

(5) The present condition of the Highway Trust Fund and its immediate, future, and long range prospects.

(6) The effect on the Highway Trust Fund, and on revenue sources from which the Trust Fund is financed, of any existing or proposed highway beautification program, safety program, forest and public land highways program, scenic road program, mass transportation program, or other program which would affect such fund or sources of revenue.

SEC. 2. For the purposes of this resolution the committee, through January 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$2,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.



NINETEENTH ANNUAL REPORT COVERING U.S. PARTICIPATION IN THE UNITED NATIONS DURING 1964—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 178)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed, with illustrations:

*To the Congress of the United States:*

Pursuant to the provisions of the United Nations Participation Act, I submit herewith the 19th annual report covering U.S. participation in the United Nations during 1964.

This report, like its predecessors, describes the activities of the United Nations agencies and programs that together carry out the aims of the charter: to maintain peace and security, to adjust and settle international disputes, to cooperate in economic and social development, and to promote the self-determination of peoples and worldwide respect for human rights. It also covers legal, administrative, and financial matters at the United Nations.

The activities covered in this report document the commitment of this Nation to the purposes and programs of the United Nations—a commitment demonstrated by the extent and character of our participation in and financial support for a broad range of United Nations activities over the past 20 years.

During 1964 the constitutional-financial crisis in the General Assembly tended to overshadow in the public mind all other affairs at the United Nations. The Assembly was limited to those minor actions which could be taken by unanimous consent without a vote. It is regrettable that a major organ of the United Nations could not function normally. However, the other elements of the United Nations system carried forward.

The Security Council in 1964 had one of its busiest years; it held over 100 meetings and dealt with some of the most intractable problems of peace and security.

It successfully organized the difficult peacekeeping operation in Cyprus, averting the threat of a direct military confrontation between two of our NATO allies, Greece, and Turkey.

It aired the Kashmir dispute, the Malaysian charges against Indonesia, and the question of apartheid in South Africa.

It sent a factfinding group to report on the border situation between Cambodia and South Vietnam.

It requested the Secretary General to help the United Kingdom and Yemen resolve their differences over the Yemen-Aden border.

It provided a forum for the United States to explain the action it had taken to counter the attacks by Hanoi against U.S. naval vessels in the international waters of the Gulf of Tonkin. In this connection, regrettably, Hanoi was un-

willing to admit that the United Nations had any competence in the conflict in Vietnam. Despite the fact that Hanoi and Peiping rejected United Nations involvement, given its responsibility for international peace and security, the United Nations should clearly be concerned about the conflict in Vietnam. It was with this thought in mind that in San Francisco on June 25, 1965, at the celebration of the 20th anniversary of the United Nations, I urged United Nations members, individually and collectively, to use their influence to bring to the negotiating table all governments involved in an attempt to halt all aggression and evolve a peaceful solution. I also wrote the Secretary General the following month saying how much I appreciated his efforts to remove the Vietnam dispute from the battlefield to the negotiating table and expressed the hope they would be continued. The Secretary General replied by expressing his determination to pursue such efforts by all means at his disposal.

Elsewhere in the world during 1964 the United Nations continued to maintain several active peacekeeping operations. United Nations peacekeepers continued to police the Sinai and Gaza lines. The United Nations also supervised the borders between Israel and its Arab neighbors, and the truce line in Kashmir between India and Pakistan.

During 1964 the United Nations ended its military—but not its civilian—operation in the Congo and its observer mission in Yemen.

On the economic front, the United Nations Conference on Trade and Development—UNCTAD—during the summer of 1964 was unquestionably the most significant development of the year. It opened a search by the developing nations for trading and financial arrangements designed to accelerate their development. Machinery was established to carry on the dialog within the United Nations among developed and less-developed countries concerning international trade and related questions of development. A hopeful sign was the adoption by UNCTAD of a system of mutual adjustment and conciliation designed to achieve a meeting of minds before arriving at decisions on important matters.

The record of operations of United Nations Specialized Agencies in the economic and social fields was impressive.

The World Bank and its affiliates—the International Development Association and the International Finance Corporation—made loans, credits, and investments totaling over \$1 billion.

The World Health Organization spurred important advances in the worldwide campaigns to eradicate malaria and smallpox and in the field of epidemiology.

The World Meteorological Organization moved ahead toward a projected World Weather Watch—a worldwide cooperative venture to improve man's ability to predict the course of the weather.

The Food and Agriculture Organization dispatched about 1,000 technical experts to member countries to assist in agricultural productivity, pest control,

animal health, and rural community development.

As science and technology develop, there will be new opportunities for international cooperation and common undertakings to serve mankind. On October 2, 1964, I proclaimed 1965 International Cooperation Year (ICY) in the United States. To implement our national program for ICY, on November 24, 1964, I named a Cabinet Committee for International Cooperation Year (1965), and called on our national citizens' organizations to help find new areas for common endeavor against the ancient enemies of mankind—ignorance, poverty, and disease. Every such enterprise helps in some small way to strengthen the fabric of peace. As I said at that time—the quest for peace through cooperation is the “assignment of the century.”

In transmitting this report, I should like to add a more general observation about our policy toward the United Nations. Every President since the founding of the United Nations has expressed the deep commitment of this Nation to the purposes of the Organization. This commitment has been expressed in our dedication to the purposes of the charter and in our participation in the entire range of United Nations operations described in this report.

I reaffirmed our dedication on the occasion of the 20th anniversary of the United Nations at San Francisco on June 25, 1965, when I said:

I come to this anniversary not to speak of futility or failure nor of doubt and despair. I come to raise a voice of confidence in both the future of these United Nations and the fate of the human race.

And let all remember—and none forget—that now more than 50 times in these 20 years the United Nations has acted to keep the peace.

By persuading nations to justify their own conduct before all countries, it has helped, at many times and in many places, to soften the harshness of man to his fellow man.

By confronting the rich with the misery of the poor and the privileged with the despair of the oppressed, it has removed the excuse of ignorance, unmasked the evil of indifference, and has placed an insistent, even though still unfulfilled, responsibility upon the more fortunate of the earth.

By insisting upon the political dignity of man, it has welcomed 63 nations to take their places alongside the 51 original members—a historical development of dramatic import, achieved mainly through peaceful means.

And by binding countries together in the great declarations of the charter, it has given those principles a strengthened vitality in the conduct of the affairs of man.

The record of our participation in the United Nations for 1964—set forth in this report—documents the deeds that support these words.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 1, 1966.

DOMESTIC HEALTH AND EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 395)

The SPEAKER laid before the House the following message from the President of the United States; which was



read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

*To the Congress of the United States:*

A nation's greatness is measured by its concern for the health and welfare of its people. Throughout the history of our democracy, this commitment has grown and deepened.

The education of our people is a national investment. The health of our people is essential to the pursuit of happiness.

Today we can set ambitious goals for the future: Full education for every citizen to the limits of his capacity to absorb it; good health for every citizen to the limits of our country's capacity to provide it.

The 88th and 89th Congresses have moved toward these goals.

During the past 3 sessions, Congress has enacted 20 landmark measures in health and 19 in education; doubled the appropriations for health programs and increased the budget for our Office of Education more than fivefold.

The achievements of the past 3 years promise a dramatic enrichment of American life. They already include in the field of health:

1. The medicare program which, on July 1, will make benefits available to more than 19 million older Americans.
2. Health services for more than 200,000 migrant workers in 34 States.
3. Maternal and infant care for mothers and children previously receiving inadequate services.
4. Expanded services for crippled children.
5. Thirty-two new clinics for retarded children.
6. Construction assistance for 1,300 hospital and health facilities to add more than 56,000 new hospital beds.
7. Financial support for more than 16,000 medical research projects and advanced training for 25,000 scientists.
8. Construction starts for 62 institutions to enroll more than 2,400 additional students each year for training in the health professions.

Our achievements in education are equally impressive. Among them are:

1. Funds to improve educational opportunities for nearly 7.5 million underprivileged children in 20,000 school districts.
2. Summer Headstart programs for 560,000 preschool children in 13,350 community education projects and year-round programs for 120,000 children.
3. Textbooks and other learning materials for more than 40 million children in every State.
4. College work-study programs for more than 110,000 needy college students.
5. Construction aid for 1,300 institutions of higher learning—including new classrooms, laboratories, and libraries.
6. Twelve million books to improve public libraries and training programs for more than 400 librarians.

HEALTH

With these programs and those I am recommending today, we can move closer to attainment of our goals:

To bring every child the care he needs to develop his capacity to the fullest.

To reduce infant mortality, concentrating particularly on those minority groups whose death rate is highest.

To eradicate major communicable diseases as a threat to life and health in the United States.

To reduce the burden of mental illness, and mental retardation.

To cut the toll of the three great killers—heart disease, cancer, and stroke.

The health budget which I have proposed for fiscal year 1967 is \$4.67 billion—an increase of almost \$1 billion. In addition more than \$3 billion in social security trust funds will be spent under medicare to assist our older citizens.

Funds for health manpower, facilities and services are up \$707 million. Funds for environmental activities and consumer protection are up \$158 million. Funds for health research activities are up \$78 million.

To insure continuing progress, we must—

Improve the administration of Federal health activities;

Develop comprehensive health planning and services on the State and community level;

Strengthen our system of health care; Train needed health workers;

Increase our research efforts;

Take additional steps to meet special health problems.

I

TO IMPROVE ADMINISTRATION OF FEDERAL HEALTH SERVICES

Our first concern must be the efficient and effective administration of the Federal health programs.

Over the last 12 years the budget of the Public Health Service for research, training, and services has grown almost tenfold—from \$250 million to \$2.4 billion. Yet major elements of the basic structure of the Public Health Service remain set by a law that is more than 20 years old.

The Secretary of Health, Education, and Welfare and the Surgeon General of the United States have consulted leading experts—physicians, administrators, scientists, and public health specialists—in a thorough search for the best means to improve the administration of Federal health programs. They all agree that the need to modernize the administration of the Public Health Service is urgent.

To fulfill that need, I will shortly submit to Congress a proposed reorganization of the health functions of the Department of Health, Education, and Welfare.

The ultimate success of Federal health programs depends on the men and women who direct them. At present, the personnel system of the Public Health Service is inadequate to recruit and retain the talent needed for its rapidly changing and expanding role.

I will recommend legislation to improve the personnel system of the Public Health Service.

This legislation will promote career development, encourage more flexible use of health workers, provide them with

broader opportunities, stimulate higher standards of performance.

II

TO DEVELOP COMPREHENSIVE HEALTH PLANNING AND SERVICES ON THE STATE AND COMMUNITY LEVEL

The focus of our efforts is the individual and his family, living in their own community. To meet their health needs requires the cooperation of many agencies, institutions, and experts—of State and local government, of doctors, nurses, and paramedical personnel.

These are the frontline fighters in our battle against disease, disability, and death. As in military battle, a winning strategy demands wise and well-planned use of manpower. It demands coordinated use of all the resources available.

I recommend to Congress a program of grants to enable States and communities to plan the better use of manpower, facilities, and financial resources for comprehensive health services.

At present, the Federal Government offers the States formula grants for categorical programs dealing with specific diseases. This leads to an unnecessarily rigid and compartmentalized approach to health problems.

Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

I recommend a program to initiate new State formula grants for comprehensive public health services. This program would begin in fiscal 1968.

At the same time, we must recognize that special health problems occur in some parts of our Nation and not in others. Certain diseases, such as tuberculosis and venereal disease, are concentrated in metropolitan communities. Others, such as rabies and parasitic diseases, are prevalent in certain geographic areas.

Resources to serve health needs are not evenly distributed throughout the Nation. Special problems arise in remote rural areas and in the city slums. We need greater flexibility to pinpoint our attack.

To make certain we have that flexibility, I recommend a program, to commence in fiscal 1968, of grants to States, communities, medical schools, and hospitals to meet special health problems.

III

TO STRENGTHEN OUR SYSTEM OF HEALTH CARE

The Hill-Burton program for hospital construction is an outstanding example of creative federalism in action. Now in its 19th year, this Federal-State-local partnership has added more than 300,000 hospital and nursing home beds to our Nation and more than 2,000 other health facilities in areas of great need.

My budget requests the full authorization of \$270 million for facilities construction under the Hill-Burton Act.

Medical advances demand new equipment and up-to-date laboratories. Intensive care units, as well as ambulatory and extended care facilities, require changes in the structure and function of aging hospitals, particularly in urban areas.



General hospitals containing 260,000 beds—one-third of our Nation's—are now in obsolete condition.

When medicare becomes operative this July, the pressure on many hospitals will grow even more intense.

To begin to meet this urgent need, I recommend legislation to mobilize public and private resources to revitalize our obsolete hospitals. This will require a loan and grant program to assist in the long-term financing of hospital renewal projects.

The need for modernization goes beyond the bricks and mortar of construction. We must find new ways to lower the cost and raise the quality of health care, to organize health services more efficiently, to develop information systems. It will take the combined efforts of university, hospital, industry, group practice clinics, and many other organizations.

I am directing the Secretary of Health, Education, and Welfare to conduct systems analyses and other studies to determine the most effective means of bringing high-quality medical services to all the people at the lowest cost.

I also propose a 5-year program of grants for research and demonstration projects in the organization, financing, utilization, and delivery of health services.

As medical practice becomes more complex, specialization becomes more common. The number of general practitioners is declining—66,000 today compared to 95,000 15 years ago. In 1950, there was 1 family physician for every 1,600 Americans. Today 2,900 Americans must depend on 1 family doctor.

Group practice benefits both physicians and patients. It makes expert health care more accessible for the patient. It enables the physician to draw on the combined talents of his colleagues.

High initial capital requirements and a shortage of long-term financing have restricted the development of this form of medical and dental practice.

I recommend that the Congress consider legislation now pending making mortgage insurance available for group practice facilities.

The first session of this Congress has liberated our citizens from the haunting fear of an inability to meet the cost of medical care in their later years. This landmark legislation assures that community hospitals, physicians, and others who provide for their health will be paid the reasonable cost and customary charges for such services. I propose that this same principle be extended to the care of patients in our own Federal hospitals and I recommend legislation to permit the reimbursement of these hospitals in the same manner.

#### IV

##### TO TRAIN NEEDED HEALTH WORKERS

Trained men and women continue to be in critically short supply in the field of health. Congress has already acted to help meet that need by enacting—

The Health Professions Educational Assistance Act to provide assistance to both schools and students;

The Nurse Training Act to provide Federal aid to increase the supply of professional nurses; and

The Vocational Education Act to provide for training of practical nurses and other health workers.

But critical specialties remain dangerously understaffed—medical technologists, biomedical engineers, dental hygienists, and other college-trained health workers.

These personnel, allied with doctors, dentists, and nurses, constitute the modern health care team. They extend the reach and the scope of the physician.

I recommend a 3-year program to provide grants for training in allied health professions: to construct and to improve needed educational facilities; to offer fellowships for students in advanced training; and to stimulate institutions to develop new types of health personnel.

Last year, in the Higher Education Act of 1965, Congress enlisted the resources of our private banking community to make low-interest student loans. By this means, greatly increased financial assistance can be provided at minimal cost.

I recommend legislation to convert the health professions student loan program to privately financed and federally subsidized loans for students in the health professions.

#### V

##### TO ADVANCE RESEARCH

Over the past 10 years, Congress has increased the budget for health research thirteenfold. The dividends from this investment are incalculable. Miraculous progress in medical discovery is making possible:

Development of support devices for the failing heart—and even replacement of a human heart by an artificial organ;

Advances toward the cure of cancers such as childhood leukemia and Hodgkin's disease;

Development of a less expensive and more efficient treatment for kidney failure;

Isolation of viruses causing respiratory infections and production of vaccines to immunize against them.

My fiscal 1967 budget provides increased funds for health research. If research makes major new breakthroughs in lifesaving discoveries, I will submit requests for necessary additional funds. My overall budget provides for this contingency.

#### VI

##### TO MEET SPECIAL HEALTH PROBLEMS

##### 1. MENTAL RETARDATION

We have begun to ease the tragic burden of the mentally retarded and their families. By construction of research and service facilities, and by support of State programs, the Federal Government helps combat this dread handicap.

We shall continue our increasing attack on this problem. It deserves the concern and attention of our most able specialists. Therefore, I intend to appoint a Committee on Mental Retardation to assess our progress, to seek out new and better ways to cope with this

terrible disability, and to recommend a long-range and comprehensive plan of action.

##### 2. NUTRITION FOR THE NEEDY

It is hard to teach a hungry child. This fact, known to parents and teachers alike, underlies the school lunch program throughout the Nation.

This year 18 million schoolchildren will enjoy lunches prepared and served in their schools under this program. Yet too many children still fail to get a good lunch even though the cost is low. Some cannot afford the 25- to 35-cent lunch charge. Others in low-income districts go to schools which lack lunch facilities.

Demonstration programs conducted in poverty areas in Colorado and North Carolina provided lunches this year at sharply reduced rates. The results were amazing. Virtually all the children purchased the school lunch—less than one-third had done so before. The children were more alert and interested in learning. The absentee rate fell by as much as 37 percent. School dropouts were reduced.

Too little of the Federal assistance in the school lunch program has been directed toward children who need it most. Too much of our subsidy, particularly in the special milk program, goes to children who already get a federally supported school lunch, including milk, and whose parents can afford to pay for additional milk.

I am submitting to the Congress the Child Nutrition Act of 1966 to redirect our efforts to provide food to those who need it most. The act will—

Extend the school lunch program to more needy children and give greater flexibility in providing low cost or no cost meals;

Assist schools serving low-income districts to acquire kitchen and lunchroom facilities;

Provide pilot school breakfast programs for those children who start the day hungry;

Direct the special milk program to those schools without food service, to schools serving children from low-income families, and to needy schoolchildren at whatever school they attend;

Start demonstration summer programs to provide food service for needy children at child-care centers and playgrounds;

Help State educational agencies strengthen their staffs to improve child nutrition programs.

I am requesting \$50 million from the Congress for programs designed to provide adequate nutrition for disadvantaged children. This money is an addition to the \$329 million in cash and commodities already included in the budget for school nutrition programs. The total Federal programs of \$379 million is a major redirection of our child nutrition efforts to children who otherwise would grow up hungry, suffer the diseases that come from being ill-nourished, and lack the energy so essential to learning.

No child in an affluent America should be without an adequate diet. The new program will move us far toward that goal. But it will not do the job alone.



I am directing the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Agriculture and the Director of the Office of Economic Opportunity, to examine means by which the benefits of sound nutrition can be extended to every child who needs our help.

We now know that among elderly Americans, a poor diet is a root cause of poor health. It adds to the burden of our hospitals and health manpower. It contributes unnecessary misery to the burdens of old age.

I have directed the Secretary of Health, Education, and Welfare to initiate a special food service program at multipurpose centers authorized by the Older Americans Act of 1965. Local organizations will be able to offer balanced, nutritious meals to the elderly—without charge or at reduced prices to those who are in need.

### 3. ALCOHOLISM

The alcoholic suffers from a disease which will yield eventually to scientific research and adequate treatment. Even with the present limited state of our knowledge, much can be done to reduce the untold suffering and uncounted waste caused by this affliction.

I have instructed the Secretary of Health, Education, and Welfare to—

Appoint an Advisory Committee on Alcoholism;

Establish in the Public Health Service a center for research on the cause, prevention, control, and treatment of alcoholism;

Develop an education program in order to foster public understanding based on scientific fact;

Work with public and private agencies on the State and local level include this disease in comprehensive health programs.

### 4. FAMILY PLANNING

We have a growing concern to foster the integrity of the family, and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience.

In the fiscal 1967 budget, I have requested a sizable increase in funds available for research, training, and services in this field. The National Institute of Child Health and Human Development will expand its own research and its grant program to study human reproduction. The Children's Bureau and the Office of Economic Opportunity will support family planning to the maternal and infant care programs in local communities when requested. State agencies will be aided by Federal welfare funds to provide family planning services to mothers.

### EDUCATION

I have proposed a total Federal investment in education and training during the coming year in excess of \$10 billion—a threefold increase since 1961.

Our education programs must be administered wisely and well. Shortly after passage of the Elementary and Secondary Education Act of 1965, I di-

rected that the Office of Education be reorganized to carry out its expanded responsibilities more effectively and efficiently. This reorganization has now been completed.

In addition, we established the new post of Assistant Secretary for Education in the Department of Health, Education, and Welfare to strengthen program coordination throughout the Government.

The Congress has already put this Nation on the path toward the achievement of goals to:

1. Extend special educational help to 12 million disadvantaged and handicapped children;
2. Eliminate illiteracy within a decade;
3. Bring public library services to 15 million more Americans;
4. Reduce by half the rate of high school dropouts over the next 5 years;
5. Guarantee the opportunity for education beyond high school on the basis of ability to learn, rather than ability to pay;
6. Provide college buildings and facilities to meet the needs of 9 million students expected by 1975.

Full educational opportunity for every citizen requires that we build on the beginnings we have already made. I recommend measures—

To expand the Headstart program for preschool children;

To strengthen the Elementary and Secondary Education Act of 1965;

To expand Federal assistance to higher education;

To improve the Nation's libraries.

### I

#### TO EXPAND THE HEADSTART PROGRAM FOR PRESCHOOL CHILDREN

Few programs have had the visible success of Operation Headstart. The disadvantaged children who have benefited from this program are already entering first grade—with new confidence in themselves and greater eagerness to learn.

I have requested funds almost to double the Headstart program during the coming year to insure full year programs for 210,000 children, and summer programs for 500,000 children.

This marks a significant step in providing greatly expanded preschool assistance for 5-year-olds from disadvantaged homes, and summer nursery programs for 3- and 4-year-olds.

### II

#### TO STRENGTHEN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Though funded only 4 months ago, the Elementary and Secondary Education Act of 1965 has already begun to bring its benefits to the Nation:

Special help is being provided the disadvantaged—remedial teaching, health and food services, augmented teaching and counseling staffs.

More books—interesting and up to date—have begun to appear on school library shelves.

New approaches to old problems are being tried; instruction for the student extends beyond the classroom—to museums, hospitals, factories.

Regional education laboratories are being developed to stimulate new techniques of teaching and learning in our schools.

State educational agencies are strengthening their staffs and assuming greater responsibilities.

Educational deprivation cannot be overcome in a year. And quality cannot be achieved overnight.

I propose that the Elementary and Secondary Education Act be extended for 4 years.

My budget includes increased funds for each title of the act.

In addition, I propose that coverage of the act be enlarged to raise from \$2,000 to \$3,000 the family income formula for allocating aid for education of the disadvantaged commencing in fiscal 1968; and to earmark additional funds for children of American Indians and migrant workers.

Careful study of the "incentive grant" provision of title I shows that payments would be made to many districts unrelated to need.

I therefore recommend repeal of the "incentive grant" provision of title I in order to focus Federal aid on basic grants to more than 20,000 local school districts.

Too many schools in urban and rural slums are ancient and in disrepair. Obsolete schools aggravate the problem of eliminating de facto segregation in our northern communities, thus depriving children of full educational opportunities.

There is a pressing need for long-range, communitywide planning to bring innovation and imagination in school construction.

I propose that \$5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation.

A recently completed study of the federally impacted area program, requested by Congress, has concluded that certain provisions should be revised.

I recommend revision of the existing law to require school districts to absorb a uniform and fair share of the burden of educating children in federally affected districts; to base payments on school expenditures in local districts rather than on National or State average per-pupil cost; to eliminate eligibility for Federal impacted area assistance in those cases where Government property is leased to private enterprises that pay local taxes.

### III

#### HIGHER EDUCATION

Today, young people are seeking advanced learning in greater numbers than ever before. One million four hundred and thirty thousand new students will enter our colleges next September—more than the total enrollment only 20 years ago.

Our colleges and universities must keep pace with this growing influx of young Americans. And the Federal Government must be prepared to continue its assistance.



I recommend extension of the Higher Education Facilities Act for 3 more years, with authorization of \$458 million for construction grants for fiscal 1967.

In a society that is growing more complex, advanced training is essential. Six hundred and forty thousand students will enroll in universities and institutions across the Nation at the post graduate level next fall. This number will grow by another quarter million in the next 5 years.

I recommend that the grant program for graduate facilities be continued, and I propose that \$200 million be made available for loans to build both undergraduate and graduate facilities.

In addition, I will soon send to Congress legislation to permit more effective use of Federal resources in certain loan programs by applying credit from private financial institutions. This will make possible an additional \$100 million for academic facility loans in fiscal 1967.

One out of every four of our institutions of higher learning is not good enough to get accreditation. Congress recognized this need last year by providing assistance to developing colleges.

I recommend that title III of the Higher Education Act of 1965 be continued for 2 years, with its authorization increased from \$5 million to \$30 million next year.

By June, 890,000 students at 1,700 institutions will have borrowed \$800 million to invest in college education under the student loan program of the National Defense Education Act. Last year, Congress expanded the opportunity for student loans by establishing a subsidized program through the Nation's private banking system. Together with opportunity grants and the work-study program, there now exists a wide range of student assistance programs to help finance higher education.

To increase loan funds available to students who want college educations, I recommend the conversion of the direct loan program to a program in which loans will be made from funds provided by the private capital market, with the Government subsidizing these loans. The teacher "forgiveness" features for students eligible under the national defense education program will be retained.

I am proposing an orderly transition to the new student loan program so that no eligible student will be deprived of the needed financial assistance, and I will ask for the necessary funds to accomplish this purpose.

I also recommend that the "forgiveness" provision be extended to medical personnel who will settle in rural areas where the doctor shortage is most critical.

There are more than 12,000 unfilled vacancies for qualified social workers, at a time when we need their skills more than ever before. These workers are important to the success of our poverty, health, and education programs.

A task force on social work manpower and education has just completed an extensive study of the problem. I

have asked the Secretary of Health, Education, and Welfare to consult with educational leaders and other specialists and to submit recommendations to me to overcome this shortage in the ranks of our social workers.

#### IV

##### TO IMPROVE THE NATION'S LIBRARIES

Those who do not read are not much better off than those who cannot read. More than 100 million Americans have inadequate public library services. More than 15 million have none at all.

A library must be a living institution with trained staff and funds to obtain new books, periodicals, films, records, and other material.

As the boundaries of learning are pushed back, our need for storehouses of knowledge grows greater. They offer man his link with the past and his vision of the future.

Most public libraries in the United States are poorly equipped to perform this vital role.

I recommend that Congress extend the Library Services and Construction Act for 5 more years, authorizing \$57.5 million for fiscal 1967.

##### DEPARTMENT OF THE PEOPLE

Through the programs entrusted to its care, the Department of Health, Education, and Welfare exercises continuing concern for the social well-being of all our people. Already, as I have indicated in this message, it has become possible to set ambitious goals for the future.

To improve our ability to chart our progress, I have asked the Secretary to establish within his office the resources to develop the necessary social statistics and indicators to supplement those prepared by the Bureau of Labor Statistics and the Council of Economic Advisers. With these yardsticks, we can better measure the distance we have come and plan for the way ahead.

In health and education, we build with a double purpose: to meet today's needs, and to match tomorrow's hopes.

We look toward the time when every disease which need not happen will not happen—when every citizen can confidently expect care—competent, convenient care—if he is ill, or injured; when every American receives the education and training he wants to enrich his life and fulfill his hopes.

With pain and ignorance no longer such fearsome enemies, our people will find a new freedom. Our society will be great as never before.

It is too early for self-congratulations. We must continue to plan and act. We march in a campaign which can have no retreats, no truce, no end: only new victories.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 1, 1966.

#### VICE PRESIDENT AN EXECUTIVE ENVOY

Mr. McCORMACK. Mr. Speaker, the recent visit of Vice President HUBERT H. HUMPHREY to a number of countries in the Far East was a most successful mission. His ability, his personality, his love

of his fellow man—particularly the poor, the sick, the afflicted—made a profound favorable impression, leaving in the minds of the people of the several countries the Vice President visited a much better image of the United States, and of our people.

In my remarks, I include a fine and deserving article entitled, "Vice President an Effective Envoy," written by David Lawrence and appearing in the Washington Star of February 28, 1966:

##### VICE PRESIDENT AN EFFECTIVE ENVOY

(By David Lawrence)

Originally, the chief function of a Vice President of the United States was to preside over the Senate. Now, however, he plays a far more important role as an unofficial member of the executive branch of the Government. This practice arose only in recent years, when America began to participate actively in world affairs and the help of allies in meeting emergencies became essential.

Vice President HUBERT H. HUMPHREY, who returned last week from a 43,000-mile journey to Asia, can do more during brief visits to the various capitals of the world to publicize American policies than sometimes can be accomplished in longer periods of time by the ambassadors or ministers accredited to those countries.

This is because diplomatic representatives must be supercautious in what they say, as they have to stay at their posts the year around. But a Vice President, as the No. 2 man in the U.S. Government, can make speeches of a positive nature, and they will be widely printed.

Public relations has become a significant factor in the evolution of international policy. Many Americans do not realize that, although a speech by the President may be broadcast over television and radio and be given considerable space in the newspapers within the United States, it may get only a brief mention abroad—even in countries friendly to the United States. The reason is that what happens locally or in neighboring areas takes up most of the space in the news media.

When an emissary as prominent as the Vice President of the United States visits a foreign country, however, it becomes a local story of magnitude. Crowds assemble to hear him speak, and the newspapers give front page treatment to the event. Many an issue that has been repeatedly explained at home by the President is clarified for the first time in other lands when it is given publicity on the occasion of a Vice-Presidential visit.

It is, therefore, sensible tactics for the Vice President to go around the world making speeches, especially during critical times when the Communist propaganda machine is so active in sneering at or denouncing American policies.

Mr. HUMPHREY visited South Korea, the Philippines, Australia, New Zealand, India, Pakistan, Thailand, and Laos, and, of course, spent some time in South Vietnam. All of these countries were given a clear statement not only of America's firmness and resoluteness in handling the Vietnam war but of the sincere desire of the United States to achieve an honorable peace.

Mr. Johnson, while Vice President, also made trips to Asia, Africa, and Europe, and in the preceding administration Vice President Richard M. Nixon went to countries on every continent, including a visit to the Soviet Union. The use of a Vice President for foreign trips is even more necessary today than it was a decade or two ago, because the international situations that have since developed are frequently subject to misunderstanding, particularly as the Communists are busily engaged in fomenting friction by means of repeated distortions.



When the Constitution was written, it was agreed that a Vice President should be designated to succeed the President in the event of the latter's death or disability, but nowhere else in the document were any duties of a Vice President specified in relation to the executive branch of the Government. Some Presidents have altogether ignored their No. 2 man. In the last 30 years, however, it has become customary for the Vice President to attend cabinet meetings and to be given the confidential background of many important developments in national and international policies.

Mr. HUMPHREY happens to be a very vocal, healthy, exuberant person who delivers effective speeches. He has a congenial personality and makes a good impression abroad. Most important of all, he follows carefully the instructions given him by the President and the Secretary of State back home. So the role of the Vice President as a roving ambassador is indeed unique.

Certainly, in bygone days, when it was often said that a Vice President really had nothing to do, few people envisaged the important position that the No. 2 man occupies today in the American Government and throughout the world.

#### DOMESTIC HEALTH

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, we in the United States of America are blessed with a high degree of general public health.

We have seen the virtual conquest of such scourges as typhoid fever, yellow fever, tuberculosis, and many other infectious diseases. We are now adding poliomyelitis to the list, and are engaged in nationwide campaigns to eliminate such child killers and cripplers as measles, diphtheria, whooping cough, and tetanus.

Nevertheless, we are still far from our national objective in public health.

Having followed the progress of our great national health team over a period of years, with justifiable pride in the congressional support which its efforts have enjoyed, I am pleased to note the administration's proposal of the next logical step toward our goal of the best possible health and medical care for every man, woman, and child in the United States. For this is what I see in President Johnson's proposal for "a more effective partnership between Federal, State, and local health agencies and activities."

Under the administration's recommendations, the Congress is being called upon to adopt legislation which will—

First, permit each State to plan a comprehensive program of health care, tying together the fundamental needs of manpower, facilities, and treatment.

Second, enable each State to strengthen its own resources by adding needed staff members in its public health agencies and utilizing to the fullest practical extent the resources of other health-related official agencies and private nonprofit organizations and institutions; and

Third, encourage each State to devote more effort toward treating the human being as an entity, rather than as a

vehicle for tuberculosis, or venereal disease, or some other specific ailment.

I applaud the President's desire to "create a stronger focus for health at the State level." I am happy to join with him in a crusade for more effective partnership for national health. I urge my colleagues to study the proposed health legislation carefully, and I invite them to join me in its support.

#### DOMESTIC HEALTH

(Mr. STAGGERS (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD.)

Mr. STAGGERS. Mr. Speaker, the needs for trained health manpower are so great as to be unattainable during the next decade. We have already, through the Health Professions Assistance Acts of 1963 and 1965, and the Nurse Education Assistance Act of 1964, taken long steps to meet the needs which are foreseen. Through the Vocational Education Act of 1965, the Manpower Training and Development Act, and through earlier vocational education assistance, we have made substantial progress in developing training programs for practical nurses and other subprofessional and auxiliary health workers.

The bill which President Johnson has now placed before us will fill one great lack in the training of health workers: it will assist in the expansion and development of coordinated training programs, at the college level, for the growing variety of professional health workers who stand with the physician, the nurse, and the dentist in our hospitals and communities. Not only will it add to the training capacity for such workers, it will also stimulate support and the training of teachers for these professions, and for the many vocational and junior college programs whose expansion is now critically impeded by the lack of teachers.

While it is popular to speak of the health team—and indeed essential that health workers do work closely together, their training too often is not related to professions other than their own and gives little basis for later working together.

To meet the needs of teamwork learning, and to make the best use of scarce teachers, a small number of universities with medical schools have developed school of the allied health professions—schools in which these professional workers are studying and learning to work together. One such school is the College of Health Related Professions in the University of Florida's J. Hillis Miller Health Center. Here, students in occupational therapy, physical therapy, medical technology, rehabilitation counseling, clinical psychology, speech pathology, audiology, health and hospital administration, and other fields engage in learning together in the company of aspiring doctors, nurses, and pharmacists, and in an atmosphere which inspires them to think as community leaders in the health professions.

Such schools not only bring new unifying concepts into teaching—they meet

another great need—that of making the educational and vocational opportunities in the health fields much more visible and attractive and thus bring needed recruits to the health professions. Their efforts deserve support. I believe we should give them that support by endorsing the President's proposals.

#### NATION'S HOSPITAL AND MEDICAL FACILITIES

(Mr. MOSS (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD.)

Mr. MOSS. Mr. Speaker, it is a great pleasure for me to endorse wholeheartedly the President's proposal to modernize the Nation's hospital and medical facilities.

The need for modernization is especially great in our large cities where many of our quality-care hospitals are becoming obsolete. These are the hospitals which conduct research, which put into practice the latest advances in medical science, and which help train our future doctors, nurses, and other health specialists. If they are allowed to further deteriorate, we shall face overwhelming difficulties in continuing our tradition of providing quality medical care to the American people.

A beginning was made when Congress authorized funds for modernization under the Hospital and Medical Facilities Amendments of 1964. But additional and aggressive action in the form of increased Federal aid is needed to overcome the gap between the funds authorized to initiate this program and the funds needed to complete it.

At present, 260,000 hospital beds are in outmoded facilities and approximately 13,000 are added to that list each year. During the 10-year period, therefore, action must be taken to modernize 390,000 hospital beds.

I welcome the proposal for new methods of financing the modernization program and pledge my support for legislation to make it effective.

#### DOMESTIC HEALTH

(Mrs. MINK (at the request of Mr. ALBERT) was granted permission to extend her remarks at this point in the RECORD.)

Mrs. MINK. Mr. Speaker, among the hundreds of letters the President's Committee on Mental Retardation gets each week there are scores which say approximately the same thing: "I keep hearing about all the wonderful new things being done for the mentally retarded. Why can't I find a place for my retarded child? The schools reject him. They say he's not bright enough. The institution says it can't take him. There is a long waiting list. Where can I turn? My husband and I are desperate."

I have received similar messages, and I am sure each of you has. These messages are constant—and powerful—testimony to the need for passage of President Johnson's Mental Retardation Facilities and Services Amendments of 1966.







89TH CONGRESS  
2D SESSION

# H. R. 13361

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 1966

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Child Nutrition Act of  
4       1966".

### DECLARATION OF PURPOSE

5  
6       SEC. 2. In recognition of the demonstrated relationship  
7       between food and good nutrition and the capacity of children  
8       to develop and learn, based on the years of cumulative suc-  
9       cessful experience under the national school lunch program  
10      with its significant contributions in the field of applied nutri-  
11      tion research, it is hereby declared to be the policy of Con-

gress that these efforts shall be extended, expanded, and strengthened as a measure to safeguard the health and well-being of the Nation's children, with special effort directed toward improving the nutrition of children from low-income families, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

## TITLE I—NATIONAL SCHOOL LUNCH AND CHILD NUTRITION PROGRAM

### AUTHORIZATION

SEC. 101. The Secretary shall formulate and carry out a national school lunch and child nutrition program to assist States, through grants-in-aid and other means, to establish, maintain, and expand nonprofit school food service programs for children.

### APPORTIONMENTS TO STATES

SEC. 102. (a) The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the funds appropriated for the purposes of this title, excluding section 107, for such year for obtaining agricultural and other foods. Apportionment among the States shall be made on the basis of two factors: (1) the participation rate for the State, and (2) the assistance need rate for the State. The amount of apportionment to any State



1 shall be determined by the following method: First, deter-  
2 mine an index for the State by multiplying factors (1) and  
3 (2); second, divide this index by the sum of the indexes  
4 for all the States; and third, apply the figure thus obtained  
5 to the total funds to be apportioned. If any State cannot  
6 utilize all funds so apportioned to it, or if additional funds  
7 are made available for apportionment under this section  
8 among the States, the Secretary shall make further appor-  
9 tions to the remaining States in the same manner. Not-  
10 withstanding the foregoing provisions of this section, for the  
11 fiscal year beginning July 1, 1966, the amount apportioned  
12 to American Samoa shall be \$25,000, which amount shall  
13 be first deducted from the funds available for apportionment  
14 in determining the amounts to be apportioned to the other  
15 States.

16 (b) Funds apportioned to any State under section 102  
17 for any fiscal year shall be available for payment to such  
18 State for disbursement by the State educational agency, for  
19 the purpose of assisting schools in that State in obtaining  
20 agricultural and other foods for consumption by children  
21 during such fiscal year. Payments to any State of funds  
22 so apportioned in any fiscal year shall be made upon condi-  
23 tion that each dollar will be matched by three dollars from  
24 sources within the State determined by the Secretary to  
25 have been expended in connection with the program under

1 this title. In the case of any State whose per capita income  
2 is less than the per capita income of the United States, the  
3 matching required for any fiscal year shall be decreased by  
4 the percentage which the State per capita income is below  
5 the per capita income of the United States. For the pur-  
6 pose of determining whether the matching requirements of  
7 this section and section 106, respectively, have been met,  
8 the reasonable value of donated services, supplies, facilities,  
9 and equipment as certified, respectively, by the State educa-  
10 tional agency and, in case of schools receiving funds pur-  
11 suant to section 106, by such schools (but not the cost or  
12 value of land, or of the acquisition, construction, or altera-  
13 tion of buildings or of commodities donated by the Secre-  
14 tary, or of Federal contributions), may be regarded as  
15 funds from sources within the State expended in connection  
16 with the program under this title.

17 DIRECT FEDERAL EXPENDITURES

18 SEC. 103. The funds appropriated for any fiscal year  
19 for carrying out the provisions of this title, excluding section  
20 107, less not to exceed  $3\frac{1}{2}$  per centum thereof hereby made  
21 available to the Secretary for his administrative expenses  
22 under this Act, less the amount apportioned by him pursu-  
23 ant to sections 102 and 106, shall be available to the Secre-  
24 tary during such year for direct expenditure by him for agri-  
25 cultural and other foods to be distributed among the States

1 and schools participating in the program under this title  
2 in accordance with the needs as determined by the local  
3 school authorities. The provisions of law contained in the  
4 proviso of the Act of June 28, 1937 (50 Stat. 323), facili-  
5 tating operations with respect to the purchase and disposi-  
6 tion of surplus agricultural commodities under section 32 of  
7 the Act approved August 24, 1935 (49 Stat. 774), as  
8 amended, shall to the extent not inconsistent with the pro-  
9 visions of this title, also be applicable to expenditures of  
10 funds by the Secretary under this title.

11 STATE DISBURSEMENT TO SCHOOLS

12 SEC. 104. Funds apportioned under section 102 and  
13 paid to any State shall be disbursed by the State educational  
14 agency to those schools in the State which the State educa-  
15 tional agency, taking into account need and attendance, de-  
16 termines are eligible to participate in the program under this  
17 title. Disbursement to any school shall be made only for the  
18 purpose of reimbursing it for the cost of obtaining agri-  
19 cultural and other foods for consumption by children in the  
20 program. Such food costs may include, in addition to the  
21 purchase price of agricultural and other foods, the cost of  
22 processing, distributing, transporting, storing, and handling.  
23 In no event shall such disbursement for food to any school for  
24 any fiscal year exceed an amount determined by multiplying  
25 the number of lunches served in the school in the program



1 under this title during such year by the maximum Federal  
2 food-cost distribution rate for the State, for the type of lunch  
3 served, as prescribed by the Secretary for schools other than  
4 those receiving special assistance under section 107.

5 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

6 SEC. 105. Lunches served by schools participating in the  
7 program under this title shall consist of a combination of  
8 foods and shall meet minimum nutritional requirements pre-  
9 scribed by the Secretary on the basis of tested nutritional  
10 research. Such meals shall be served without cost or at a  
11 reduced cost to children who are determined by local school  
12 authorities to be unable to pay the full cost of the lunch.  
13 In making such determinations, such local authorities should,  
14 to the extent practicable, consult with public welfare and  
15 health agencies. No physical segregation of or other dis-  
16 crimination against any child shall be made by the school  
17 because of his inability to pay.

18 NONPROFIT PRIVATE SCHOOLS

19 SEC. 106. If in any State the State educational agency  
20 is not permitted by law to disburse the funds paid to it under  
21 this title to nonprofit private schools in the State, or is not  
22 permitted by law to match Federal funds made available for  
23 use by such nonprofit private schools, the Secretary shall  
24 withhold from the funds apportioned to any such State under  
25 section 102 of this title an amount which bears the same

1 ratio to such funds as the number of lunches, consisting of a  
2 combination of foods and meeting the minimum requirements  
3 prescribed by the Secretary pursuant to section 105, served  
4 in the preceding fiscal year by all nonprofit private schools  
5 participating in the program under this title within the State,  
6 as determined by the Secretary, bears to the participation  
7 rate for the State. The Secretary shall disburse the funds  
8 so withheld directly to the nonprofit private schools within  
9 such State for the same purposes and subject to the same  
10 conditions as are required of a State educational agency dis-  
11 bursing funds made available under section 102 of this title,  
12 including the requirement that any such payment or pay-  
13 ments shall be matched, in the proportion specified in section  
14 102 (b) of this title for such State, by funds from sources  
15 within the State expended by nonprofit private schools within  
16 the State participating in the program under this title. Such  
17 funds shall not be considered a part of the funds constituting  
18 the matching funds under section 102 (b) of this title.

19 SPECIAL ASSISTANCE

20 SEC. 107. (a) The Secretary shall, with funds ap-  
21 propriated for special assistance under this section, provide  
22 such assistance to schools drawing attendance from areas in  
23 which poor economic conditions exist, for the purpose of help-  
24 ing such schools meet the requirements of section 105 of this

1 title with respect to the service of lunches to children unable  
2 to pay the full cost of such lunches.

3 (b) Of the sums available for the purposes of this sec-  
4 tion for any fiscal year, 3 per centum shall be available for  
5 apportionment to Puerto Rico, the Virgin Islands, Guam,  
6 and American Samoa. Of the funds available for such  
7 States, the Secretary shall apportion to each such State an  
8 amount which bears the same ratio to the total of such funds  
9 as the number of free or reduced-price lunches served in  
10 accordance with section 105 of this title in such State in  
11 the preceding fiscal year bears to the total number of such  
12 free or reduced-price lunches served in all such States in  
13 the preceding fiscal year: *Provided*, That for the fiscal year  
14 ending June 30, 1967, \$5,000 shall be apportioned to  
15 American Samoa, which amount shall be first deducted from  
16 the total amount available for apportionment under this sub-  
17 section. If any such State cannot utilize all of the funds  
18 apportioned to it for the purpose of this section the Secretary  
19 shall make further apportionment, on the same basis as the  
20 initial apportionment, to any of the other such States which  
21 justify the need for additional funds for such purpose.

22 (c) Of the remaining sums appropriated for the pur-  
23 poses of this section for any fiscal year, not less than 50 per  
24 centum shall be apportioned among States, other than  
25 Puerto Rico, the Virgin Islands, Guam, and American



1 Samoa, on the basis of the following factors for each State:  
2 (1) the number of free or reduced-price lunches served in  
3 accordance with section 105 of this title in the preceding  
4 fiscal year, and (2) the assistance need rate. These factors  
5 shall be applied in the following manner: First, determine  
6 an index for each State by multiplying factors (1) and (2);  
7 second, divide this index by the sum of the indexes for all  
8 such States; and, third, apply the figure thus obtained to  
9 the total funds to be apportioned. If any such State can-  
10 not utilize all of the funds apportioned to it for the purpose  
11 of this section the Secretary shall make further apportion-  
12 ment of such funds together with the remainder of the funds  
13 available under this subsection, on the same basis as the  
14 initial apportionment, to any of the other such States which  
15 justify the need for additional funds for such purpose.

16 (d) Funds apportioned and paid to any State for the  
17 purpose of this section shall be disbursed to selected schools  
18 in such State to assist such schools in the purchase of agri-  
19 cultural and other foods and in meeting operational costs as  
20 provided in subsection (e) of this section. The selection of  
21 schools and the amounts of funds that each shall from time  
22 to time receive (within a maximum per lunch amount estab-  
23 lished by the Secretary for all the States), shall be deter-  
24 mined by the State educational agency on the basis of the

1 following factors: (1) the economic condition of the area  
2 from which such schools draw attendance; (2) the needs of  
3 children in such schools for free or reduced-price lunches; (3)  
4 the percentages of free and reduced-price lunches being served  
5 in such schools to children; (4) the prevailing price of  
6 lunches in such schools as compared with the average pre-  
7 vailing price of lunches served in the State under this title;  
8 and (5) the need of such schools for additional assistance as  
9 reflected by the financial position of the lunch programs in  
10 such schools.

11 (e) In circumstances of severe need where the maxi-  
12 mum rate per lunch established by the Secretary is deemed  
13 insufficient to carry on an effective feeding program in a  
14 school, the Secretary may authorize financial assistance not  
15 to exceed 90 per centum of the operating costs of such a  
16 program, including the cost of obtaining, preparing, and serv-  
17 ing food.

18 (f) If in any State the State educational agency is not  
19 permitted by law to disburse funds paid to it under this title  
20 to nonprofit private schools in the State, the Secretary shall  
21 withhold from the funds apportioned to such State under  
22 subsections (b) or (c) of this section an amount which bears  
23 the same ratio to such funds as the number of free and re-  
24 duced-price lunches served in accordance with section 105 of  
25 this title in the preceding fiscal year by all nonprofit private

1 schools participating in the program under this title in such  
2 State bears to the number of such free and reduced-price  
3 lunches served during such year by all schools participating  
4 in the program under this title in such State. The Secretary  
5 shall disburse the funds so withheld directly to the nonprofit  
6 private schools within such State for the same purposes and  
7 subject to the same conditions as are required of a State edu-  
8 cational agency disbursing funds made available under this  
9 section.

10 (g) In carrying out this section, the terms and condi-  
11 tions governing the operation of the program set forth in the  
12 other sections of this title, including those applicable to funds  
13 apportioned pursuant to section 102, but excluding the pro-  
14 visions relating to matching, shall be applicable to the extent  
15 they are not inconsistent with the express provisions of this  
16 section.

## 17 TITLE II—SPECIAL MILK PROGRAM

### 18 AUTHORIZATION

19 SEC. 201. The Secretary shall formulate and carry out  
20 a Special Milk Program to assist States through grants-in-  
21 aid to establish, maintain, and expand nonprofit programs to  
22 increase the consumption of fluid whole milk by children,  
23 and particularly by needy children, in schools and nonprofit  
24 institutions.



## 1 APPORTIONMENT TO STATES

2 SEC. 202. (a) For each of the fiscal years 1967 and  
3 1968, 50 per centum of the funds appropriated for the pur-  
4 poses of this title shall be apportioned among the fifty States  
5 and the District of Columbia on the basis of the ratio of the  
6 number of children of ages five through seventeen in each of  
7 the fifty States and the District of Columbia to the number of  
8 all children of ages five through seventeen in the fifty States  
9 and the District of Columbia.

10 (b) The remaining 50 per centum of the funds for each  
11 of the fiscal years 1967 and 1968 shall be held by the Sec-  
12 retary in reserve and may be advanced to any of the fifty  
13 States and the District of Columbia on justification of need.

14 (c) For fiscal year 1969 and each fiscal year thereafter  
15 the funds appropriated for the purposes of this title shall be  
16 apportioned among the fifty States and the District of  
17 Columbia on the basis of the ratio of the number of half  
18 pints of milk reimbursed with funds apportioned under this  
19 section in each such State in the preceding fiscal year, as  
20 determined by the Secretary, to the total number of half  
21 pints of milk reimbursed with funds apportioned under this  
22 section in the fifty States and the District of Columbia in the  
23 preceding fiscal year as determined by the Secretary.

## STATE DISBURSEMENT TO SCHOOLS

SEC. 203. Funds apportioned and paid to any State for the purpose of this title shall be disbursed to schools and nonprofit institutions, determined to be eligible by the State educational agency, on the basis of the following priorities: First, to schools without a food service; second, for needy children in schools with a food service; and third, if available funds permit, to schools and nonprofit institutions for all children. Disbursement shall be made at such rates per half pint of fluid whole milk as the Secretary shall prescribe and shall not exceed the cost to the school or nonprofit institution of obtaining such milk for service to children.

## NONPROFIT PRIVATE SCHOOLS AND PRIVATE NONPROFIT INSTITUTIONS

SEC. 204. If in any State the State educational agency is not permitted by law to disburse funds paid to it under this title to nonprofit private schools and private nonprofit institutions in the State, the Secretary shall withhold from the funds apportioned to such State under section 202 of this title an amount in each of the fiscal years 1967 and 1968 which bears the same ratio to the funds apportioned to the State as the number of children of ages five through

1   seventeen enrolled in nonprofit private schools within the  
2   State is of the total number of children of ages five through  
3   seventeen enrolled in schools within the State. Each fiscal  
4   year thereafter, the Secretary shall withhold from the funds  
5   apportioned to any such State under section 202 of this title  
6   an amount which bears the same ratio to such funds as the  
7   number of one-half pints of milk for which nonprofit private  
8   schools and nonprofit private institutions were reimbursed  
9   in the preceding fiscal year is of the total number of one-half  
10   pints of milk for which all schools and nonprofit institutions  
11   participating in the program under this title in the State were  
12   reimbursed. The Secretary shall disburse the funds so with-  
13   held directly to the nonprofit private schools and nonprofit  
14   institutions within such State for the same purposes and sub-  
15   ject to the same conditions as are required of a State educa-  
16   tional agency disbursing funds made available under this title.

### 17       TITLE III—SCHOOL BREAKFAST PROGRAM

#### 18                   AUTHORIZATION

19       SEC. 301. The Secretary shall formulate and carry out  
20   a pilot program to assist States through grants-in-aid and  
21   other means, to initiate, maintain or expand nonprofit break-  
22   fast programs in schools drawing attendance from areas in  
23   which poor economic conditions exist and in schools to  
24   which a substantial proportion of the children enrolled must  
25   travel long distances.



## 1                    APPORTIONMENT TO STATES

2        SEC. 302. (a) Of the funds appropriated for the pur-  
3 poses of this title for any fiscal year, the Secretary shall  
4 reserve 3 per centum for apportionment to Guam, the  
5 Virgin Islands, Puerto Rico, and American Samoa. Such  
6 funds shall be apportioned among such States on the basis  
7 of the ratio of the number of children of ages five through  
8 seventeen in each such State to the number of all children  
9 of ages five through seventeen in all such States.

10        (b) Of the remainder of the funds appropriated, the  
11 Secretary shall for each fiscal year, (1) apportion the  
12 first \$2,500,000 equally among the States, other than Guam,  
13 the Virgin Islands, Puerto Rico, and American Samoa, and  
14 (2) shall apportion the remainder among such States on the  
15 basis of the ratio of the number of children in each State  
16 of ages five through seventeen in families with incomes of  
17 less than \$2,000 per annum plus the number of children of  
18 ages five through seventeen in families receiving more than  
19 \$2,000 per annum from payments under the Department of  
20 Health, Education, and Welfare's program of aid to families  
21 with dependent children to the total number of such children  
22 in the fifty States and the District of Columbia.

## 23                    STATE DISBURSEMENT TO SCHOOLS

24        SEC. 303. (a) Funds apportioned and paid to any State  
25 for the purpose of this title shall be disbursed by the State

1 educational agency to schools selected by the State educa-  
2 tional agency, to reimburse such schools for the cost of  
3 obtaining agricultural and other foods for consumption by  
4 children in a breakfast program and for the purpose of sub-  
5 section (b). Such food costs may include, in addition to  
6 the purchase price, the cost of processing, distributing, trans-  
7 porting, storing, and handling. Disbursement to schools  
8 shall be made at such rates per meal or on such other basis  
9 as the Secretary shall prescribe. In selecting schools, the  
10 State educational agency shall, to the extent practicable, give  
11 first consideration to those schools drawing attendance from  
12 areas in which poor economic conditions exist.

13 (b) In circumstances of severe need where the rate  
14 per meal established by the Secretary is deemed by him  
15 insufficient to carry on an effective breakfast program in a  
16 school, the Secretary may authorize financial assistance up  
17 to 90 per centum of the operating costs of such a program,  
18 including cost of obtaining, preparing, and serving food.

19 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

20 SEC. 304. Breakfasts served by schools participating in  
21 the school breakfast program under this title shall consist  
22 of a combination of foods and shall meet minimum nutri-  
23 tional requirements prescribed by the Secretary on the basis

1 of tested nutritional research. Such breakfasts shall be  
2 served without cost or at a reduced cost to children who  
3 are determined by local school authorities to be unable to  
4 pay the full cost of the breakfast. In making such deter-  
5 minations, such local authorities should, to the extent prac-  
6 ticable, consult with public welfare and health agencies. No  
7 physical segregation of or other discrimination against any  
8 child shall be made by the school because of his inability to  
9 pay.

10                                   NONPROFIT PRIVATE SCHOOLS

11       SEC. 305. If in any State the State educational agency  
12 is not permitted by law to disburse the funds paid to it  
13 under this title to nonprofit private schools, the Secretary  
14 shall withhold from the funds apportioned to any such State  
15 under section 302 of this title an amount based on the ratio  
16 of the number of children enrolled in nonprofit private  
17 schools within the State to the total number of children  
18 enrolled in all schools within the State. The Secretary  
19 shall disburse the funds so withheld directly to the nonprofit  
20 private schools within such State for the same purposes  
21 and subject to the same conditions as are required of a  
22 State educational agency disbursing funds made available  
23 under this title.



1 TITLE IV—SPECIAL FOOD SERVICE PROGRAMS  
2 FOR NEEDY CHILDREN

3 AUTHORIZATION

4 SEC. 401. In further recognition of the impact of inad-  
5 equate nutrition on the health and well-being of children,  
6 particularly those from low-income families, the Secretary  
7 shall formulate and carry out a pilot program to assist non-  
8 profit institutions such as child day-care centers, settlement  
9 houses, and summer camps, which do not maintain children  
10 in residence for periods in excess of three months and which  
11 draw attendance from areas in which poor economic condi-  
12 tions exist, to establish, maintain, and expand food service  
13 for children in group situations away from home. Such food  
14 service may be furnished on a seasonal or more extended  
15 basis.


16 APPORTIONMENT TO STATES

17 SEC. 402. (a) Of the funds appropriated for the pur-  
18 poses of this title for any fiscal year, the Secretary shall re-  
19 serve 3 per centum for apportionment to Guam, Puerto Rico,  
20 the Virgin Islands, and American Samoa. Such funds shall  
21 be apportioned among such States on the basis of the number  
22 of children of ages five through seventeen in each such State  
23 to the number of all children of ages five through seventeen  
24 in all such States.

25 (b) Of the remainder of the funds appropriated, the

1 Secretary shall, for each fiscal year (1) apportion such sums  
2 as he deems appropriate but not more than \$50,000 to each  
3 State, other than Guam, Puerto Rico, the Virgin Islands,  
4 and American Samoa, as a basic grant, and (2) apportion  
5 the remainder among such States on the basis of the ratio of  
6 the number of children in each State of ages five through  
7 seventeen in families with incomes of less than \$2,000 per  
8 annum plus the number of children of ages five through  
9 seventeen in families receiving more than \$2,000 per annum  
10 from payments under the Department of Health, Education,  
11 and Welfare's program of aid to families with dependent chil-  
12 dren to the total number of such children in the fifty States  
13 and the District of Columbia.

14 (c) If any State cannot utilize all funds so apportioned  
15 to it, or if additional funds are made available for apportion-  
16 ment under this section among the States, the Secretary shall  
17 make further apportionments to the remaining States in the  
18 same manner.



19 DISBURSEMENT BY STATES

20 SEC. 403. (a) Funds apportioned and paid to any State  
21 for the purpose of this title shall be disbursed by the State  
22 educational agency to nonprofit institutions selected by the  
23 State educational agency to reimburse such nonprofit institu-  
24 tions for the cost of obtaining agricultural and other foods  
25 and for the purposes of subsections (b) and (c) of this

1 section. The costs of obtaining agricultural and other foods  
2 may include the cost of processing, distributing, transporting  
3 or handling thereof. Disbursement to participating institu-  
4 tions shall be made at such rates of reimbursement per meal  
5 or on such other basis as the Secretary shall prescribe. In  
6 selecting the nonprofit institutions, the State educational  
7 agency shall to the extent practicable, give first considera-  
8 tion to those institutions with the highest proportion of  
9 children from low-income families.

10 (b) In circumstances of severe need where the rate per  
11 meal established by the Secretary is insufficient to carry on an  
12 effective feeding program, the Secretary may authorize  
13 financial assistance not to exceed 90 per centum of the  
14 operating costs of such a program, including cost of obtain-  
15 ing, preparing, and serving food.

16 (c) Not to exceed 25 per centum of the funds paid to  
17 any State may be used by the State to assist nonprofit in-  
18 stitutions serving needy children in the purchase or rental  
19 of facilities, other than land and buildings, for the storage,  
20 preparation, transportation, and serving of food to enable  
21 such institutions to establish, maintain, and expand food  
22 service under this title.

23 DIRECT PAYMENTS

24 SEC. 404. If in any State the State educational agency  
25 is not permitted by law or is otherwise unable to disburse



1 the funds paid to it under this title to any nonprofit institu-  
2 tion in the State, the Secretary shall withhold all funds ap-  
3 portioned under this title and shall disburse the funds so with-  
4 held directly to nonprofit institutions in the State for the  
5 same purposes and subject to the same conditions as are  
6 required of a State educational agency disbursing funds made  
7 available under this title.

#### 8 OBLIGATION OF FUNDS

9 SEC. 405. Notwithstanding the provisions of any other  
10 law, balances of funds appropriated for the purposes of this  
11 section and unobligated at the end of any fiscal year shall  
12 remain available for obligation during the first three months  
13 of the following fiscal year only to assist those child-feeding  
14 activities that are wholly seasonal in nature, such as summer  
15 camps and summer recreational programs.

#### 16 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

17 SEC. 406. Nonprofit institutions to which funds are dis-  
18 bursed under this title shall serve meals consisting of a  
19 combination of foods and meeting minimum nutritional  
20 standards prescribed by the Secretary on the basis of tested  
21 nutritional research. Such meals shall be served without  
22 cost or at a reduced cost to children determined by such  
23 institutions to be unable to pay the full cost. In making  
24 such determination, institutional authorities should, to the  
25 extent practicable, consult with public welfare and health

1 agencies. No physical segregation or other discrimination  
2 against any child shall be made because of his inability to  
3 pay.

#### 4 TITLE V—NONFOOD ASSISTANCE PROGRAM

##### 5 AUTHORIZATION

6 SEC. 501. The Secretary shall formulate and carry out  
7 a program to assist the States through grants-in-aid and  
8 other means to supply schools drawing attendance from  
9 areas in which poor economic conditions exist with facilities,  
10 other than land and buildings, for the storage, preparation,  
11 transportation, and serving of food to enable such schools to  
12 establish, maintain, and expand school food service programs.

##### 13 APPORTIONMENTS TO STATES

14 SEC. 502. The Secretary shall apportion the funds ap-  
15 propriated for the purposes of this title among the States  
16 during each fiscal year on the same basis as apportionments  
17 are made under section 102 of title I of this Act for supply-  
18 ing agricultural and other foods, except that apportionment  
19 to American Samoa for any fiscal year shall be on the same  
20 basis as the apportionment to the other States. Payments  
21 to any State of funds apportioned for any fiscal year shall  
22 be made upon condition that one-fourth of the cost of any  
23 facilities financed under this title shall be borne by State or  
24 local funds.

## STATE DISBURSEMENT TO SCHOOLS

SEC. 503. Funds apportioned and paid to any State for the purpose of this title shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

## NONPROFIT PRIVATE SCHOOLS

SEC. 504. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under section 502 an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary under section 105 of this Act, served in the preceding fiscal year by all nonprofit private schools participating in the program under title I within the



1 State, as determined by the Secretary, bears to the participa-  
2 tion rate for the State. The Secretary shall disburse the  
3 funds so withheld directly to the nonprofit private schools  
4 within such State for the same purposes and subject to the  
5 same conditions as are required of a State educational agency  
6 disbursing funds made available under this title.

## 7 TITLE VI—DEFINITIONS AND GENERAL 8 PROVISIONS

### 9 DEFINITIONS

10 SEC. 601. For the purposes of this Act—

11 (a) “State” means any of the fifty States, the District  
12 of Columbia, the Commonwealth of Puerto Rico, the Virgin  
13 Islands, Guam, or American Samoa.

14 (b) “State educational agency” means, as the State  
15 legislature may determine, (1) the chief State school officer  
16 (such as the State superintendent of public instruction, com-  
17 missioner of education, or similar officer), or (2) a board  
18 of education controlling the State department of education.

19 (c) “Nonprofit private school” means any private school  
20 exempt from income tax under section 501(c)(3) of the  
21 Internal Revenue Code of 1954.

22 (d) “Nonprofit institution” means any public or pri-  
23 vate institution, except a school or other educational institu-  
24 tion of higher learning, which provides for the care and

1 training of children and no part of the earnings of which  
2 inures to the benefit of any private shareholder or institution.

3 (e) "Participation rate" for a State means a number  
4 equal to the total number of lunches, consisting of a combina-  
5 tion of foods and meeting the minimum requirements pre-  
6 scribed by the Secretary pursuant to section 105 of this Act,  
7 served in the preceding fiscal year by schools participating  
8 in the programs under title I of this Act in the State, as  
9 determined by the Secretary.

10 (f) "Assistance need rate" (1) in the case of any  
11 State whose per capita income is equal to or greater than  
12 the annual per capita income for all the States, shall be  
13 five; and (2) in the case of any State having an average  
14 annual per capita income less than the average annual per  
15 capita income for all the States, shall be the product of five  
16 and the quotient obtained by dividing the average annual  
17 per capita income for all the States by the average annual  
18 per capita income for such State, except that such product  
19 may not exceed nine for any such State. For the purposes  
20 of this paragraph the average annual per capita income for  
21 any State and for all the States shall be determined by the  
22 Secretary on the basis of the average annual per capita  
23 income for each State and for all the States for the three most  
24 recent years for which such data are available; and the

1 average annual per capita income for American Samoa shall  
2 be disregarded in determining the average annual per capita  
3 income for all the States for periods ending before July 1,  
4 1967.

5 (g) "School" means any public or nonprofit private  
6 school of high school grade and under, including kindergarten  
7 and preschool programs operated by such school.

8 (h) "Secretary" means the Secretary of Agriculture.

9 ACCOUNTS AND RECORDS

10 SEC. 602. States, State educational agencies, schools,  
11 and nonprofit institutions participating in programs under  
12 this Act shall keep such accounts and records as may be  
13 necessary to enable the Secretary to determine whether there  
14 has been compliance with this Act and the regulations here-  
15 under. Such accounts and records shall at all times be  
16 available for inspection and audit by representatives of the  
17 Secretary and shall be preserved for such period of time,  
18 not in excess of three years, as the Secretary determines is  
19 necessary.

20 PROHIBITIONS

21 SEC. 603. (a) In carrying out the provisions of this  
22 Act, neither the Secretary nor the State shall impose any  
23 requirements with respect to teaching personnel, curriculum,  
24 instruction, methods of instruction, and materials of instruc-  
25 tion in any school or nonprofit institution.



1       (b) The value of assistance to children under this Act  
2 shall not be considered to be income or resources for any  
3 purpose under any Federal or State laws including, but not  
4 limited to, laws relating to taxation, welfare, and public  
5 assistance programs.

6       (c) Expenditures of funds from State and local sources  
7 for the maintenance of food programs for children shall not  
8 be diminished as a result of funds received under this Act.

9                               PAYMENTS TO STATES

10       SEC. 604. The Secretary shall certify to the Secretary  
11 of the Treasury from time to time the amounts to be paid  
12 to any State under this Act and the time or times such  
13 amounts are to be paid; and the Secretary of the Treasury  
14 shall pay to the State at the time or times fixed by the  
15 Secretary the amounts so certified.

16                               STATE ADMINISTRATIVE EXPENSES

17       SEC. 605. The Secretary may utilize not to exceed  $1\frac{1}{2}$   
18 per centum of the total funds appropriated under this Act  
19 for any fiscal year for advances to each State educational  
20 agency for use for its administrative expenses in carrying out  
21 programs under this Act: *Provided*, That no such agency  
22 shall receive a sum greater than 1 per centum of the funds  
23 apportioned to it under this Act, or \$7,500, whichever is  
24 greater. The amount of such payments shall be deducted

3 SELECTION OF SCHOOLS

4 SEC. 606. In the selection of schools to receive Federal  
5 assistance under section 107 and under titles II, III, IV and  
6 V of this Act and in the selection of nonprofit institutions to  
7 receive assistance under title IV of this Act, the State agency  
8 shall adopt the methods and procedures necessary to assure  
9 coordination with and give, where the need is comparable,  
10 preference to programs carried on under the Elementary and  
11 Secondary Education Act of 1965 and the Economic Oppor-  
12 tunity Act of 1964 in such schools or institutions.

UTILIZATION OF FOODS

SEC. 607. Each school and nonprofit institution participating under this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, and to nonprofit institutions for utilization in

1 their feeding programs under this Act, as well as to other  
2 schools carrying out nonprofit school lunch programs and  
3 other institutions authorized to receive such foods.

4 NONPROFIT PROGRAMS

5 SEC. 608. The food and milk service programs in schools  
6 and nonprofit institutions receiving assistance under this Act  
7 shall be conducted on a nonprofit basis.

8 STATISTICAL DATA

9 SEC. 609. Data on numbers of children of ages five  
10 through seventeen and on per capita income shall be made  
11 available by the Secretary of Commerce to the Secretary  
12 and, except where otherwise expressly stated in this Act,  
13 shall be the latest available.

14 REGULATIONS

15 SEC. 610. The Secretary shall prescribe such regula-  
16 tions as he may deem necessary to carry out this Act.

17 APPROPRIATIONS AUTHORIZED

18 SEC. 611. For each fiscal year there is hereby author-  
19 ized to be appropriated such funds as may be necessary to  
20 enable the Secretary to carry out each of the titles of this  
21 Act: *Provided, however,* That no appropriation shall be  
22 made for purposes of titles III and IV for any fiscal year  
23 commencing on or after July 1, 1969, unless otherwise  
24 expressly authorized.



## EFFECTIVE DATES

1  
2       SEC. 612. This Act shall be effective upon enactment,  
3 except that titles I and II of this Act shall be effective begin-  
4 ning with the first fiscal year after enactment and shall  
5 supersede, respectively, the National School Lunch Act (60  
6 Stat. 230), as amended, and the Act of July 1, 1958 (72  
7 Stat. 276), as amended. For the first year of operation,  
8 references in title I and title II of this Act to participation  
9 in the preceding fiscal year shall refer to participation, re-  
10 spectively, in the programs under the National School Lunch  
11 Act, as amended, and the Act of July 1, 1958, as amended.



89<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 13361**

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**A BILL**

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To establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture.

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By Mr. COOLEY

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MARCH 7, 1966

Referred to the Committee on Agriculture







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IN THE SENATE OF THE UNITED STATES

JUNE 6, 1966

Mr. ELLENDER (by request) introduced the following bill; which was read twice  
and referred to the Committee on Agriculture and Forestry

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**A BILL**

To amend the National School Lunch Act, as amended, to  
strengthen and expand food service programs for  
children.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the National School Lunch Act, as amended, is  
4       amended—

5               (A) By inserting in section 3 before the period at  
6       the end thereof the following phrase: “and other than  
7       sections 13 through 15.”

8               (B) By inserting in section 6 after the word “Act”  
9       where it first occurs the following: “(other than sections  
10       13 through 15).”



1           (C) By adding at the end of subsection (d) of  
2       section 12, the following new paragraph:

3       “(8) ‘Nonprofit institution’ means any public or private  
4       institution, except a school or other educational institution  
5       of higher learning, which provides for the care and train-  
6       ing of children and no part of the net earnings of which  
7       inures to the benefit of any private shareholder or individual.”

8           (D) By adding at the end of the Act the follow-  
9       ing new sections:

10                           “SPECIAL MILK PROGRAM

11                                   “AUTHORIZATION

12       “SEC. 13. There is hereby authorized to be appropriated  
13       for the fiscal year beginning July 1, 1967, and each fiscal  
14       year thereafter during the period ending June 30, 1970,  
15       such sums as may be necessary, but not in excess of  
16       \$100,000,000 for any fiscal year, to enable the Secretary  
17       of Agriculture, under such rules and regulations as he may  
18       deem in the public interest, to encourage consumption of  
19       fluid milk by children in the United States in (1) nonprofit  
20       schools of high school grade and under, and (2) nonprofit  
21       nursery schools, child-care centers, settlement houses, sum-  
22       mer camps, and similar nonprofit institutions devoted to the  
23       care and training of children. For the purposes of this  
24       section ‘United States’ means the fifty States and the District  
25       of Columbia.

1                   “SCHOOL BREAKFAST PROGRAM

2                   “AUTHORIZATION

3           “SEC. 14. (a) There is hereby authorized to be appro-  
4   priated for each of the fiscal years ending June 30, 1967,  
5   1968, and 1969 such sums as may be necessary to enable  
6   the Secretary to formulate and carry out a pilot program  
7   to assist States through grants-in-aid and other means, to  
8   initiate, maintain or expand nonprofit breakfast programs  
9   in schools drawing attendance from areas in which poor  
10   economic conditions exist and in schools to which a sub-  
11   stantial proportion of the children enrolled must travel long  
12   distances.

13                   “APPORTIONMENT TO STATES

14           “(b) Of the funds appropriated for the purposes of  
15   this section for any fiscal year, the Secretary shall reserve  
16   3 per centum for apportionment to Guam, the Virgin Islands,  
17   Puerto Rico, and American Samoa. Such funds shall be  
18   apportioned among such States on the basis of the ratio of  
19   the number of children of ages five through seventeen in  
20   each such State to the number of all children of ages five  
21   through seventeen in all such States.

22           “(c) Of the remainder of the funds appropriated, the  
23   Secretary shall for each fiscal year, (1) apportion the first  
24   \$2,500,000 equally among the States, other than Guam,  
25   the Virgin Islands, Puerto Rico, and American Samoa, and

1 (2) apportion the remainder among such States on the  
2 basis of the ratio of the number of children in each State of  
3 ages five through seventeen in families with incomes of less  
4 than \$2,000 per annum plus the number of children of ages  
5 five through seventeen in families receiving more than  
6 \$2,000 per annum from payments under the Department  
7 of Health, Education, and Welfare's program of aid to  
8 families with dependent children to the total number of  
9 such children in the fifty States and the District of Columbia.

10 "STATE DISBURSEMENT TO SCHOOLS

11 "(d) Funds apportioned and paid to any State for the  
12 purpose of this section shall be disbursed by the State educa-  
13 tional agency to schools selected by the State educational  
14 agency, to reimburse such schools for the cost of obtaining  
15 agricultural and other foods for consumption by needy  
16 children in a breakfast program and for the purpose of sub-  
17 section (e). Such food costs may include, in addition to  
18 the purchase price, the cost of processing, distributing, trans-  
19 porting, storing, and handling. Disbursement to schools  
20 shall be made at such rates per meal or on such other basis  
21 as the Secretary shall prescribe. In selecting schools, the  
22 State educational agency shall, to the extent practicable, give  
23 first consideration to those schools drawing attendance from  
24 areas in which poor economic conditions exist.

25 "(e) In circumstances of severe need where the rate per



1 meal established by the Secretary is deemed by him insuf-  
2 ficient to carry on an effective breakfast program in a school,  
3 the Secretary may authorize financial assistance up to 90  
4 per centum of the operating costs of such a program, in-  
5 cluding cost of obtaining, preparing, and serving food.

6 “NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

7 “(f) Breakfasts served by schools participating in the  
8 school breakfast program under this section shall consist of a  
9 combination of foods and shall meet minimum nutritional  
10 requirements prescribed by the Secretary on the basis of  
11 tested nutritional research. Such breakfasts shall be served  
12 without cost or at a reduced cost to children who are deter-  
13 mined by local school authorities to be unable to pay the full  
14 cost of the breakfast. In making such determinations, such  
15 local authorities should, to the extent practicable, consult  
16 with public welfare and health agencies. No physical seg-  
17 regation of or other discrimination against any child shall be  
18 made by the school because of his inability to pay.

19 “NONPROFIT PRIVATE SCHOOLS

20 “(g) If in any State the State educational agency is not  
21 permitted by law to disburse the funds paid to it under this  
22 section to nonprofit private schools, the Secretary shall with-  
23 hold from the funds apportioned to any such State under  
24 subsections (b) and (c) of this section an amount based on

1 the ratio of the number of children enrolled in nonprofit  
2 private schools within the State to the total number of chil-  
3 dren enrolled in all schools within the State. The Secretary  
4 shall disburse the funds so withheld directly to the nonprofit  
5 private schools within such State for the same purposes and  
6 subject to the same conditions as are required of a State  
7 educational agency disbursing funds made available under  
8 this section.

9 “NONFOOD ASSISTANCE PROGRAM

10 “AUTHORIZATION

11 “SEC. 15. (a) There is hereby authorized to be appro-  
12 priated for the fiscal year ending June 30, 1968, and for  
13 each fiscal year thereafter such sums as may be necessary  
14 to enable the Secretary to formulate and carry out a program  
15 to assist the States through grants-in-aid and other means to  
16 supply schools drawing attendance from areas in which poor  
17 economic conditions exist with facilities, other than land and  
18 buildings, for the storage, preparation, transportation, and  
19 serving of food to enable such schools to establish, maintain,  
20 and expand school food service programs.

21 “APPORTIONMENTS TO STATES

22 “(b) The Secretary shall apportion the funds appro-  
23 priated for the purposes of this section among the States  
24 during each fiscal year on the same basis as apportionments  
25 are made under section 4 of this Act for supplying agricul-

1 tural and other foods, except that apportionment to American  
 2 Samoa for any fiscal year shall be on the same basis as the  
 3 apportionment to the other States. Payments to any State  
 4 of funds apportioned for any fiscal year shall be made upon  
 5 condition that one-fourth of the cost of any facilities financed  
 6 under this subsection shall be borne by State or local funds.

7 “STATE DISBURSEMENT TO SCHOOLS

8 “(c) Funds apportioned and paid to any State for the  
 9 purpose of this section shall be disbursed by the State edu-  
 10 cational agency to assist schools, which draw attendance from  
 11 areas in which poor economic conditions exist and which  
 12 have no, or grossly inadequate, facilities, to conduct a school  
 13 food service program, and to acquire such facilities. Dis-  
 14 bursements to any school may be made, by advances or re-  
 15 imbursements, only after approval by the State educational  
 16 agency of a request by the school for funds, accompanied  
 17 by a detailed description of the facilities to be acquired and  
 18 the plans for the use thereof in effectively meeting the nutri-  
 19 tional needs of children in the school.

20 “NONPROFIT PRIVATE SCHOOLS

21 “(d) If in any State the State educational agency is not  
 22 permitted by law to disburse the funds paid to it under this  
 23 section to nonprofit private schools in the State, the Secre-  
 24 tary shall withhold from the funds apportioned to such State  
 25 under subsection (b) an amount which bears the same ratio



1 to such funds as the number of lunches, consisting of a  
2 combination of foods and meeting the minimum requirements  
3 prescribed by the Secretary under section 9 of this Act  
4 served in the preceding fiscal year by all nonprofit private  
5 schools participating in the program under section 2 within  
6 the State, as determined by the Secretary, bears to the par-  
7 ticipation rate for the State. The Secretary shall disburse  
8 the funds so withheld directly to the nonprofit private schools  
9 within such State for the same purposes and subject to the  
10 same conditions as are required of a State educational agency  
11 disbursing funds made available under this section.

12 "PAYMENTS TO STATES

13 "SEC. 16. The Secretary shall certify to the Secretary  
14 of the Treasury from time to time the amounts to be paid  
15 to any State under section 13 through 17 of this Act and the  
16 time or times such amounts are to be paid; and the Secretary  
17 of the Treasury shall pay to the State at the time or times  
18 fixed by the Secretary the amounts so certified.

19 "STATE ADMINISTRATIVE EXPENSES

20 "SEC. 17. The Secretary may utilize not to exceed  $1\frac{1}{2}$   
21 per centum of the total funds appropriated under this Act  
22 for any fiscal year for advances to each State educational  
23 agency for use for its administrative expenses in carrying out  
24 programs under this Act: *Provided*, That no such agency  
25 shall receive a sum greater than 1 per centum of the funds

1 appportioned to it under this Act, or \$7,500, whichever is  
2 greater. The amount of such payments shall be deducted  
3 from such appropriated funds prior to any apportionment  
4 thereof under this Act.

5 "SELECTION OF SCHOOLS

6 "SEC. 18. In the selection of schools and nonprofit in-  
7 stitutions to receive Federal assistance under sections 13, 14,  
8 and 15 of this Act, the State agency shall adopt the methods  
9 and procedures necessary to assure coordination with and  
10 give, where the need is comparable, preference to programs  
11 carried on under the Elementary and Secondary Education  
12 Act of 1965 and the Economic Opportunity Act of 1964 in  
13 such schools or institutions.

14 "UTILIZATION OF FOODS

15 "SEC. 19. Each school and nonprofit institution partici-  
16 pating under section 14 of this Act shall, insofar as practi-  
17 cable, utilize in its program foods designated from time to  
18 time by the Secretary as being in abundance, either na-  
19 tionally or in the school area, or foods donated by the Secre-  
20 tary. Foods available under section 416 of the Agricultural  
21 Act of 1949 (63 Stat. 1058), as amended, or purchased  
22 under section 32 of the Act of August 24, 1935 (49 Stat.  
23 774), as amended, or section 709 of the Food and Agri-  
24 culture Act of 1965 (79 Stat. 1212), may be donated by  
25 the Secretary to schools, in accordance with the needs as

1 determined by local school authorities, and to nonprofit  
2 institutions for utilization in their feeding programs under  
3 this Act, as well as to other schools carrying out nonprofit  
4 school lunch programs and other institutions authorized to  
5 receive such foods.

6 "NONPROFIT PROGRAMS

7 "SEC. 20. The food and milk service programs in schools  
8 and nonprofit institutions receiving assistance under this Act  
9 shall be conducted on a nonprofit basis.

10 "STATISTICAL DATA

11 "SEC. 21. Data on numbers of children of ages five  
12 through seventeen and on per capita income shall be made  
13 available by the Secretary of Commerce to the Secretary and,  
14 except where otherwise expressly stated in this Act, shall be  
15 the latest available.

16 "REGULATIONS

17 "SEC. 22. The Secretary shall prescribe such regulations  
18 as he may deem necessary to carry out this Act.

19 "PROHIBITIONS

20 "SEC. 23 (a) In carrying out the provisions of section  
21 13 of this Act, neither the Secretary nor the State shall im-  
22 pose any requirements with respect to teaching personnel,  
23 curriculum, instruction, methods of instruction, and materials  
24 of instruction in any nonprofit institution.

25 "(b) The value of assistance to children under this Act



1 shall not be considered to be income or resources for any pur-  
2 pose under any Federal or State laws including, but not  
3 limited to, laws relating to taxation, welfare, and public  
4 assistance programs. Expenditures of funds from State and  
5 local sources for the maintenance of food programs for chil-  
6 dren shall not be diminished as a result of funds received  
7 under this Act.

8 “SEC. 24. The Secretary may extend the benefits of  
9 school feeding programs under this Act to include preschool  
10 programs operated as part of the school system.”

89TH CONGRESS  
2D Session

**S. 3467**

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# **A BILL**

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To amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

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By Mr. ELLENDER

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JUNE 6, 1966

Read twice and referred to the Committee on  
Agriculture and Forestry



The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from New York.

The bill (S. 3454) to amend the National Labor Relations Act to provide for the holding of expedited prehearing elections in representation cases involving no substantial issues of fact or law, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 9(c) of the National Labor Relations Act, as amended, is amended by adding the following new paragraph:

"(6) Notwithstanding the provisions of paragraph (1) of this subsection, the Board through its designated representative, if there is reasonable cause to believe that a question of representation affecting commerce exists, may call an informal conference of the parties upon due notice. If at such conference no agreement is reached for a consent election, and there are no substantial issues of fact or law which should be resolved by a preelection hearing, the Board, through its designated representative, may conduct an election in an appropriate unit. Any party aggrieved by such proceeding may file a motion for hearing with the Board, but such motion shall not, unless specifically ordered by the Board, operate as a stay of the election."

**BILL TO PROVIDE FOR ISSUANCE OF TEMPORARY INJUNCTIONS WHENEVER THE NLRB FINDS REASONABLE CAUSE TO BELIEVE THAT AN UNFAIR LABOR PRACTICE HAS BEEN COMMITTED WHILE A REPRESENTATION ELECTION IS PENDING**

Mr. JAVITS. Next, Mr. President, I send to the desk a bill to provide for the issuance of temporary injunctions whenever there is reasonable cause to believe that unfair labor practices have been committed while an NLRB representation election is pending, and I ask that this bill, also, be held at the desk for 1 week for cosponsors, and that its text be printed in the record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk, as requested by the Senator from New York.

The bill (S. 3455) to amend the National Labor Relations Act to provide for the issuance of temporary injunctions whenever there is reasonable cause to believe that an unfair labor practice has been committed while a representation election is pending, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 10 of the National Labor Relations Act, as

amended, is amended by adding the following new subsection:

"(n) Whenever it is charged that any person has engaged in any unfair labor practice of any kind in relation to any collective bargaining unit as to which there is pending a petition for an election under section 9(a) or section 8(b)(7), and the officer or regional attorney to whom the matter may be referred has reasonable cause to believe that such charge is true and that a complaint should issue, such officer or regional attorney shall, on behalf of the Board, petition any district court of the United States (including the District Court of the United States for the District of Columbia) within any district where the unfair labor practice in question is alleged to have occurred, or wherein such person resides or transacts business, for appropriate injunctive relief pending the final adjudication of the Board with respect to such matter. Upon the filing of such petition for injunctive relief, the Board shall suspend further proceedings with respect to the petition for an election until the district court shall have entered an order granting or denying the relief sought and (i) any appeal therefrom shall have been decided or (ii) the time for taking an appeal (including any further appeal) shall have expired and such appeal shall not have been taken. In any case in which a petition for injunctive relief under this subsection shall have been disposed of on the merits, the conduct forming the basis for the unfair labor practice charge or enjoined or sought to be enjoined (except conduct occurring subsequent to and in violation of an order granting injunctive relief pursuant to a petition therefor filed under this subsection) shall not be grounds for setting aside an election thereafter held in such case. The provisions of subsection (1) relating to the jurisdiction and procedure of the court with respect to petitions for injunctive relief shall be applicable in the case of such petitions filed under this subsection."

**BILL TO PROVIDE FOR THE HOLDING OF EXPEDITED NLRB ELECTIONS IN LIEU OF RECOGNITION ON THE BASIS OF "CARD CHECKS"**

Mr. JAVITS. Finally, Mr. President, I submit, for appropriate reference, a bill to provide for the holding of expedited representation elections by the NLRB where labor organizations seek recognition on the basis of employees' authorizations or similar evidence. I ask unanimous consent that this bill also be held at the desk for 1 week for cosponsors, and that its text be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from New York.

The bill (S. 3456) to amend the National Labor Relations Act so as to provide for the holding of expedited representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence, and for other purposes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that section 8 of the National Labor Relations Act, as amended, is amended by adding the following new subsection:

"(g) It shall be an unfair labor practice under subsection (a)(5) of this section for any employer to refuse to recognize a labor organization as the representative of his employee if such employer—

"(1) has been presented with valid cards or other unimpeached evidence purporting to show that a majority of employees in an appropriate bargaining unit desires to be represented by such labor organization; and

"(2) has failed within a reasonable time to file a petition pursuant to paragraph (1)(B) of section 9(c), containing the allegations referred to in paragraph (6) of such section."

SEC. 2. Section 9(c) of such Act as amended by adding the following new paragraph:

"(6) In any case in which it is alleged in a petition filed by an employer pursuant to paragraph (1)(B) that a labor organization seeking recognition as the representative of the employees of such employer has presented valid cards or other unimpeached evidence purporting to show that a majority of employees in an appropriate bargaining unit desires to be represented by such labor organization, it shall be the duty of the Board, if it determines that in all other respects a question of representation affecting commerce exists, to forthwith, without regard to the provisions of paragraph (1), direct the holding of such an election in such unit as the Board finds to be appropriate and to certify the results thereof. The consideration of the petition and the holding of the election, in any such case, shall not be delayed by reason of the pendency of an unfair labor practice charge based upon the refusal of the employer to bargain collectively with the labor organization, and no such unfair labor practice charge based upon a refusal to bargain prior to the election shall thereafter be considered unless the Board determines that the labor organization had once been authorized to represent a majority of the employees in the bargaining unit, but that as a result of a course of conduct by the employer in violation of section 8(a) (other than unfair labor practices under section 8(a)(5)), such labor organization is no longer authorized to represent such majority."

**AMENDMENT OF NATIONAL SCHOOL LUNCH ACT, AS AMENDED, TO STRENGTHEN AND EXPAND FOOD SERVICE PROGRAMS FOR CHILDREN**

Mr. ELLENDER. Mr. President, I introduce, by request, a bill to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children. While the material contained in this bill was requested by the administration, I have made some changes in it and have omitted some parts of the legislation requested.

I ask unanimous consent that there may be printed at this point in the RECORD a short explanation of the bill, as introduced, together with a section-by-section explanation of it.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the explanation and section-by-section analysis will be printed in the RECORD.



The bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, introduced by Mr. ELLENDER, by request, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The explanation and section-by-section analysis presented by Mr. ELLENDER are as follows:

#### EXPLANATION OF BILL

The bill would amend the National School Lunch Act by adding provisions for—

(1) A special milk program for fiscal years 1967, 1968, 1969, and 1970;

(2) A pilot breakfast program for needy children in schools drawing attendance from poor economic areas and in schools to which the children must travel long distances for fiscal years 1967, 1968, and 1969;

(3) A permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist; and

(4) General administration (sections 16 through 24), including provision for—

(A) use of up to 1½ percent of the funds appropriated for the various programs for program administrative expenses of State educational agencies;

(B) coordination with, and preference to, programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964;

(C) requiring the food and milk service programs to be conducted in a nonprofit basis;

(D) in the case of the milk program, prohibiting imposition of requirements dealing with teaching;

(E) providing that assistance under the Act not be deemed income and that State expenditures for child food programs not be reduced;

(F) authorizing the Secretary to extend school feeding programs under the Act to include pre-school programs operated as part of the school system.

#### SECTION-BY-SECTION EXPLANATION

Section 1 (A) keeps the appropriation authorization for the national school lunch program separate from those for the new programs.

Section 1 (B) excludes funds appropriated for the new programs from section 6 of the National School Lunch Act, which provides that part of the funds may be used for Department administrative expenses and part may be used for direct food purchases.

Section 1 (C) defines "nonprofit institution" as an institution, other than a school, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 1 (D) adds new sections 13 through 24 to the National School Lunch Act which provide as follows:

Section 13—Special Milk

Section 14—School Breakfast

Section 15—Nonfood Assistance

Sections 16 through 24—General Provisions

New section 13, which provides for the special milk program is identical to section 2 of the Act of July 1, 1958, the current authority for the special milk program, except that the current authority runs only through June 30, 1967, while the new authority runs through fiscal 1969, and appropriations would be limited to not more than \$100 million per year. However, since the new authority would be part of the National School Lunch Act, the general provisions of that Act would be applicable.

Section 14 provides for a pilot school breakfast program for fiscal years 1967, 1968, and 1969.

Subsection (a) authorizes appropriations for such program in schools serving children from low-income areas and in schools drawing attendance from children who have to travel long distances.

Subsections (b) and (c) provide for apportionment to states. Three percent would be apportioned to Guam, the Virgin Islands, Puerto Rico, and America Samoa, on the basis of the number of children aged 5 through 17. From the balance the other States would each receive first, a basic grant of \$50,000 and, second, additional funds on the basis of need as indicated by the number of children in the State, ages 5 through 17, in families with income of less than \$2,000 plus children, ages 5 through 17, in families receiving assistance under the program for Aid to Families with Dependent Children.

Subsection (d) requires States to disburse funds to schools found eligible by the State educational agency at rates per meal that will be established by the Secretary. These funds are to be spent only for food for needy children. To the extent practicable, first consideration will be given to schools in areas of economic need.

Subsection (e) provides that in instances of severe need, the Secretary may authorize assistance up to 90 percent of the operating cost of a breakfast program, including the cost of obtaining, preparing and serving food.

Subsection (f) requires meals served under this section to meet nutritional requirements prescribed by the Secretary on the basis of tested nutritional research and to be served free or at reduced cost to those children found, by local school authorities, to be unable to pay the full cost. This is similar to the requirement contained in the existing National School Lunch Act.

Subsection (g) provides that the Department of Agriculture will administer the program in nonprofit private schools in those States whose educational agency is forbidden, by law, to disburse funds to other than public schools. This is similar to the method followed under the National School Lunch Act.

Section 5 provides for a permanent nonfood assistance program in schools drawing attendance from poor economic areas.

Subsection (a) authorizes appropriations to assist States in helping such schools acquire facilities, other than land and buildings, for the storage, preparation, transportation and serving of food.

Subsection (b) provides that funds shall be apportioned among the States on the same basis as school lunch funds under section 4. Payments to States are made on condition that one-fourth of the cost of any facilities financed shall be borne by State or local funds.

Subsection (c) permits the State educational agency to disburse funds to eligible schools by advance or by reimbursement only on request from the school, accompanied by a detailed description of the facilities to be acquired and plans for their use to improve the nutritional needs of the children in the school.

Subsection (d) requires the Department of Agriculture to administer the program in nonprofit private schools in those States where the State educational agency is not permitted, by law, to disburse funds to other than public schools.

Section 16 provides that the Secretary shall certify to the Secretary of Treasury payments to be made to any State under the new provisions and the Secretary of Treasury shall make the payment. This is the same procedure currently used under the national school lunch program.

Section 17 authorizes the Secretary to use up to 1½ percent of the total funds appropriated under the National School Lunch Act for advances to State educational agencies

for administrative purposes. However, no such agency would receive more than 1 percent of the funds apportioned to it under the Act or \$7,500, whichever is greater.

Section 18 provides that in the selection of schools and nonprofit institutions to receive Federal assistance under the special milk and other programs being added to the National School Lunch Act, the State agency shall adopt methods and procedures necessary to assure coordination with programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions and, in cases of comparable need, give preference to these schools or institutions. The Elementary and Secondary Education Act of 1965 provides among other things for financial assistance to local educational agencies for the education of children of low-income areas. The purpose of the Economic Opportunity Act of 1964 is to eliminate poverty. Sections 611 and 612 of the latter Act now require other agencies, in the administration of related programs, to cooperate and assist in carrying out the purpose of the latter Act and to give preference to applications made in connection with community action programs under the latter Act.

Section 19 requires schools and nonprofit institutions participating in the breakfast program to use to the extent practicable foods designated by the Secretary as being in abundance, and to receive foods donated by the Department of Agriculture.

Section 20 requires all food and milk service programs receiving assistance under the Act to be operated on a nonprofit basis. This is similar to the requirement under the National School Lunch Act.

Section 21 provides that information on numbers of children, ages 5 through 17, and on per capita income shall be made available by the Secretary of Commerce and, unless otherwise specified, shall be the latest available.

Section 22 authorizes regulations.

Section 23 prohibits—

(a) the Secretary and the States from imposing any requirements with respect to teaching personnel, curriculum, or materials of instruction in carrying out the special milk or other programs added to the National School Lunch Act. A similar provision now applies to the national school lunch program.

(b) the value of assistance to children under the National School Lunch Act from being considered as income or resources for purposes of other programs.

(c) State and local expenditures for food programs for children from being reduced as a result of funds received under the National School Lunch Act.

Section 24 authorizes the Secretary to extend the benefits of school feeding programs under the Act to pre-school programs operated as part of the school system.

#### SPECIAL TRAINING ENLISTMENT PROGRAM

Mr. NELSON. Mr. President, I send to the desk for proper referral a bill to activate the special training enlistment program—STEP—to help volunteers with minor educational and physical problems qualify for Army service and thus reduce reliance on the draft.

I ask unanimous consent that the text of the bill be printed at the close of my remarks.

The strength of our Armed Forces has risen from its 1965 level of 2.66 million men to 2.97 on March 31, 1966. The number of men serving in the Army has grown in that time from 969,000 to 1,140,000. To fill the requirements set by the Defense Department, induction rates

OF





# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued June 9, 1966  
For actions of June 8, 1966  
89th-2nd; No. 94

### CONTENTS

Animal research.....5	Hawaii loans.....7	Procurement.....29
Appropriations.....25,27	Imports.....26	Public debt.....18
Child nutrition.....10	Information.....14,22	Public lands.....15
Conservation.....20	Labeling.....2	Research.....5
Cotton.....11	Loans.....7	School milk.....6,10
Dairy imports.....26	Milk.....6,10,26	Soybeans.....14
Disaster relief.....1	Packaging.....2	Tariff.....13
Farm labor.....19,24	Parity.....8	Taxation.....28
Food.....4,16,17,21	Personnel.....27	Water resources.....3
Great Society.....23	Prices.....8,21,24	Wheat certificates.....9

HIGHLIGHTS: Senate debated bill to authorize alternate crops for disaster areas.  
Senate debated fair packaging-labeling bill. Senate committee reported bill for  
water-resources survey.

### SENATE

1. DISASTER RELIEF. Began debate on the conference report on H. R. 15151, to permit the planting of alternate crops on acreage which is unplanted because of natural disaster. pp. 12086-93, 12094-100
2. PACKAGING; LABELING. Continued debate on S. 985, the fair packaging and labeling bill. pp. 12022-31, 12061-80, 12093-4, 12100

3. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendments S. 3107, to provide for a comprehensive review of national water resources problems and programs (S. Rept. 1212). p. 12018
4. FOOD SHORTAGE. Sen. Mondale expressed concern about the world food shortage and submitted an amendment which he intends to propose to S. 2859, the foreign aid bill, to provide for assistance in food-production development in foreign countries. pp. 12019-22
5. RESEARCH ANIMALS. Sen. Mondale commended various interests in Minn. for getting together on a recommendation for legislation relating to handling and care of research animals and inserted articles on this matter. pp. 12047-8
6. SCHOOL MILK. Sen. Proxmire spoke in favor of his school milk bill, S. 2921, and inserted favorable testimony of Rep. Culver. p. 12042
7. HAWAII LOANS. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendment S. 112, authorizing this Department to make real estate mortgage loans on leased lands in Hawaii. p. D503
8. PARITY. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendments S. Con. Res. 88, to make it explicit that the parity price and income goal for agriculture shall be binding on all Government agencies. p. D503
9. WHEAT CERTIFICATES. The Agriculture and Forestry Committee indefinitely postponed H. R. 15089, to permit the Secretary of Agriculture to estimate the July 1966 parity price for wheat in order to expedite issuance of wheat marketing certificates to complying farmers. p. D503
10. ~~SCHOOL MILK; CHILD NUTRITION.~~ The Agriculture and Forestry Committee considered ~~S. 2921, the Proxmire school milk bill, and S. 3467, the child nutrition bill,~~ and announced that hearings will be held on the child nutrition bill. p. D503
11. COTTON. The Agriculture and Forestry Committee announced that it will consider H. R. 12322, the cotton promotion bill, today. p. D503
12. BANKING. The Banking and Currency Committee reported without amendment S. 3368, to extend for 2 years the authority of Federal Reserve banks to purchase U. S. obligations directly from the Treasury (S. Rept. 1215). p. 12018
13. TARIFF. The Finance Committee reported without amendment H. R. 12676, to provide that certain forms of copper be admitted free of duty (S. Rept. 1220). p. 12018
14. INFORMATION. Sen. Miller was added as a cosponsor of S. Res. 270, authorizing an investigation of premature disclosure of information relating to increased production of soybeans and other agricultural commodities. p. 12031
15. PUBLIC LANDS. Sen. Mundt inserted a speech by Milton A. Pearl, Director of the Public Land Law Review Commission, on the history of public lands and plans for the Commission. pp. 12048-9



amendment providing that no regulation adopted under this legislation shall preclude the orderly disposal of packages in inventory or with the trade as of the effective date of the regulation; and

Rejected: By 32 yeas to 53 nays (motion to reconsider tabled) Cotton amendment to eliminate language in the bill to establish procedures for the development of standards of weights or quantities for the retail distribution of consumer commodities.

By unanimous consent, it was agreed that when Senate resumes consideration of the bill debate on any amendment, motion, or appeal (except motion to table), shall be limited to 1 hour, equally divided; that no non-germane amendment may be received; and that debate on question of passage of the bill shall be limited to 3 hours, equally divided.

The yeas and nays were ordered on passage of the bill.

Offered but as yet unacted on was Morton amendment providing that the owner of a brand, name, or trademark shall be deemed to retain his property rights therein, and in the trade and public goodwill symbolized thereby, regardless of any sale or transfer of the goods to which such brand, name, or trademark related.

Pages 12061-12080, 12093-12094, 12100

**Disaster Acreage Crops:** Senate took up and debated conference report on H.R. 15151, permitting planting of alternate crops on acreage which is unplanted because of a natural disaster.

Pending at adjournment was Williams (Delaware) motion to postpone further consideration of the conference report until June 15. Pages 12086-12093, 12094-12100

**Authority To Meet:** Committee on Armed Services was authorized to meet until noon while Senate is in session on Thursday, June 9. Page 12100

**Nominations:** Senate received the following nominations: One judicial; one Navy; numerous Air Force; and one postmaster withdrawal. Pages 12100-12103

**Record Vote:** One record vote was taken today.

Page 12077

**Program for Thursday:** Senate met at noon and adjourned at 5:41 p.m. until 11 a.m. Thursday, June 9, when it will continue consideration of conference report on H.R. 15151, alternate crop plantings on acreage unplanted because of natural disaster, following which Senate will resume, under debate-limitation agreement, its consideration of S. 985, packaging and labeling.

Page 12100

## Committee Meetings

(Committees not listed did not meet)

### COMMITTEE BUSINESS

**Committee on Agriculture and Forestry:** Committee, in executive session, ordered favorably reported with an amendment in the nature of a substitute bill S. 112, authorizing Secretary of Agriculture to make real

estate mortgage loans on leased lands in Hawaii, and with amendments S. Con. Res. 88, to make it explicit that parity price and income goal for agriculture shall be binding on all Government agencies.

Committee indefinitely postponed further action on H.R. 15089, to authorize the Secretary of Agriculture to estimate parity price for 1966.

Also, committee considered S. 2921, authorizing funds for programs to provide milk for schoolchildren, and S. 3467, to strengthen and expand food service programs for children, and announced that the full committee will hold hearings on S. 3467 on a date as yet undetermined. Secretary of Agriculture Orville L. Freeman was present to discuss the provisions of S. 3467 with the committee.

Committee will meet in executive session tomorrow to consider H.R. 12322, cotton research and promotion bill.

### APPROPRIATIONS—RECLAMATION

**Committee on Appropriations:** Subcommittee continued its hearings on fiscal 1967 budget estimates for the Bureau of Reclamation and power marketing agencies, receiving testimony from Kenneth Holum, Assistant Secretary of the Interior for Water and Power; and Charles W. Leavy, Administrator, Southeastern Power Administration.

Hearings continue tomorrow.

### FEDERAL RESERVE

**Committee on Banking and Currency:** Committee approved for reporting S. 3368, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

### OCEAN CRUISE SHIPS

**Committee on Commerce:** Merchant Marine and Fisheries Subcommittee resumed its hearings on several pending bills requiring evidence of financial security and stricter regulation of ocean cruises (S. 1351, 2417, 3250, 3251, and H.R. 10327). Witnesses heard were William K. Miller, Director, Office of Maritime Affairs, Department of State, accompanied by Rear Adm. Charles P. Murphy, Chairman, Merchant Marine Council, Coast Guard; Louis R. Harolds, Admiralty Law Section, American Trial Lawyers Association; and A. Alvis Layne, representing American Waterways Operators, Inc.

Hearings continue tomorrow.

### TRAFFIC SAFETY

**Committee on Commerce:** Committee continued in executive session to consider S. 3005, to establish motor vehicle safety standards, but did not conclude action thereon, and will meet again on Tuesday, June 14.

### COMMITTEE BUSINESS

**Committee on Finance:** Committee, in executive session, ordered favorably reported the nomination of Glenn W.



Sutton, of Georgia, for reappointment as a member of the U.S. Tariff Commission; H.R. 12676, to amend U.S. tariff schedules to provide that certain forms of copper be admitted duty free; H.R. 8436, to amend the tariff schedules with respect to the dutiable status of watches and other timing apparatus from U.S. insular possessions (amended); H.R. 3177, to increase dependency and indemnity compensation for veterans' widows in certain cases; H.R. 9961, to authorize the VA Administrator to pay pensions to the wife and children of veterans who have disappeared; H.R. 14347, liberalizing provisions for payment to parents and children of dependency and indemnity (amended); and S. Con. Res. 83, expressing the sense of Congress that there be no change in tariff rates prior to June 30, 1967, except in accordance with specific legislative authority.

Committee announced that it will hold hearings on H.R. 318, relating to excise tax payments on tires and tubes, date of which hearings is as yet undetermined.

Committee also announced that it will hold 1 day of hearings on Monday, June 13, on H.R. 15202, providing for temporary increase in the public debt limit.

#### FOREIGN AID AUTHORIZATIONS

*Committee on Foreign Relations:* Committee continued executive consideration of S. 2859, fiscal 1967 authorizations for foreign aid, but did not conclude action thereon, and will meet again tomorrow.

#### HISTORIC PROPERTIES

*Committee on Interior and Insular Affairs:* Subcommittee on Parks and Recreation approved for full committee consideration with amendment S. 3035, establishing a program for the preservation of additional historic properties throughout the Nation, and without amendment H.R. 9599, to establish the George Rogers Clark Memorial, Ind., as a national historic site.

Prior to this action, committee received testimony on S. 3035 and S. 3098, a related measure, from George Hartzog, Director, National Park Service, Department of the Interior; Gordon Gray, National Trust for Historic Preservation, Washington, D.C.; Senator Muskie; and Joseph Prendergast, National Recreation and Park Association, the latter two of whom submitted written statements; and testimony on H.R. 9599 from Representative Denton, George Hartzog; and Senators Hartke and Bayh, the latter two of whom submitted written statements.

#### ANTITRUST

*Committee on the Judiciary:* Antitrust and Monopoly Subcommittee continued hearings in connection with its study of international aspects of antitrust, having as its witnesses Hans Smit, professor of law, Columbia

University; and Stefan Riesenfeld, professor of law, University of California (Berkeley). Today's testimony mainly concerned antitrust developments in Belgium, The Netherlands, and France.

Hearings continue on Friday, June 10.

#### INVASIONS OF PRIVACY

*Committee on the Judiciary:* Subcommittee on Administrative Practice and Procedure continued its inquiry into wiretapping, eavesdropping, and other forms of invasions of privacy, this series of hearings to be concentrated on industrial espionage, especially as it relates to proceedings before Federal agencies, having as its witnesses Joseph Rosapepe, Chief of Public Information, Internal Revenue Service; Robert Bodholdt, an Allegheny Airline pilot, Washington, D.C.; Arthur Snowberger, an electronics engineer, Washington, D.C.; Jesse Hitt, a locksmith of Washington, D.C.; and Watson "Steve" Roper, a private investigator of Cape Coral, Fla.

Hearings continue tomorrow.

#### CIVIL RIGHTS

*Committee on the Judiciary:* Constitutional Rights Subcommittee continued its hearings on S. 3296, proposed Civil Rights Act of 1966, and other pending related bills, receiving further testimony from Attorney General Nicholas deB. Katzenbach.

Hearings continue tomorrow.

#### LABOR

*Committee on Labor and Public Welfare:* Subcommittee on Labor met in executive session to consider H.R. 13712, to increase minimum wages and to extend minimum wage coverage; and H.R. 10721, to amend in several regards the Federal Employees Compensation Act, but did not conclude action thereon, and will meet again tomorrow for their further consideration.

#### AIR POLLUTION

*Committee on Public Works:* Subcommittee on Air and Water Pollution continued its hearings on S. 3112, authorizing grants under the Clean Air Act for maintenance of air pollution control programs, and S. 3400, authorizing programs to provide for a more orderly system for the disposal of junked autos, and other pending air pollution abatement legislation. Witnesses heard were William H. Stewart, the Surgeon General; Dr. Richard Prindle, Division of Public Health Methods, PHS, accompanied by Dr. Edward Blomquist, Division of Air Pollution, all of the Department of HEW; and Dr. Walter R. Hibbard, Jr., Director, accompanied by J. Wade Watkins, both of the Bureau of Mines, Department of the Interior.

Hearings continue tomorrow.







June 29, 1966

10. INFORMATION. Rep. Findley commended Rep. Rumsfeld for his "effective work" in behalf of S. 1160, the freedom of information bill. pp. 13990-1
11. JOB CORPS. Rep. Quie inserted an editorial criticizing the Job Corps. p. 13996
12. FISH PROTEIN. Rep. Keith urged action on the bill to authorize construction and operation of pilot plants to produce fish protein concentrate. p. 13996
13. OPINION POLL. Rep. Albert inserted the results of a public opinion poll reflecting "a consensus of support for the President" in the handling of his job. pp. 14009-10
14. MANPOWER. Received a GAO report of review of selection and use of training authorized by the Manpower Development and Training Act of 1962. p. 14010
15. ADJOURNMENT. Agreed to H. Con. Res. 804, that when the House adjourns on Thursday, June 30, 1966, it stand adjourned until 12 o'clock noon on Monday, July 11, 1966. p. 13951

SENATE

16. MANPOWER. Passed with amendments S. 2974, to amend the Wagner-Peyser Act so as to provide for more effective development and utilization of the Nation's manpower resources by expanding, modernizing, and improving operations under such Act at both State and Federal levels. pp. 14013, 14020-34
17. SCREW-WORM. Passed H. R. 14888, to authorize this Department to cooperate with the Mexican Government in screw-worm eradication in Mexico, with an amendment to substitute for its text the language of S. 3325, the companion bill. S. 3325 was indefinitely postponed. pp. 14048-49
18. SCHOOL LUNCH. The Agriculture and Forestry Committee voted to report (but did not actually report) S. 3467 with amendments, to strengthen and expand food service programs for children. p. D592  
The District of Columbia Committee voted to report (but did not actually report) S. 1312, to authorize funds for the administration of school lunch programs in the D. C. p. D592
19. PERSONNEL. The Government Operations Committee voted to report (but did not actually report) H. R. 10607, to provide reimbursement of additional moving expenses of Federal employees. p. D592
20. SURPLUS PROPERTY. The Government Operations Committee voted to report (but did not actually report) S. 2610, to grant Federal and State agencies priorities for obtaining surplus Government property prior to its sale. p. D592
21. GRAIN STANDARDS. Received from this department a proposed bill to provide for U. S. standards and a uniform national inspection system for grain; to Agriculture and Forestry Committee. p. 14035
22. SCHOOL MILK. Sen. Proxmire commended and discussed National Milk Producers' Federation testimony urging separate school milk and school lunch programs. p. 14064

23. TARIFF. Agreed to S. Con. Res. 100, expressing the sense of Congress with respect to certain agreements which would necessitate modification of duties or other import restrictions. pp. 14042-8
24. PESTICIDES. Sen. Ribicoff criticized as a "step backward" reported plans for disbanding the special unit of the Public Health Service dealing with pesticides. p. 14074
25. WATER RESOURCES. Sen. Moss urged U. S.-Canadian cooperation on water resource development and use and inserted two speeches (one his own) on the subject. pp. 14074-7
26. FISH PROTEIN. Sen. Pell spoke in favor of recently passed S. 2720, authorizing a demonstration program for producing fish protein concentrate, and inserted several articles on the subject. pp. 14032-7
27. RESEARCH. Sen. Fong commended the formation of the National Oceanography Association as a welcome development in the growth of marine science and technology. pp. 14058-9
28. LIBRARIES. Sen. Tower lauded the recent passage of H. R. 14050, to extend and amend the Library Services and Construction Act. p. 14060
29. HOUSING. Sen. Hart discussed increasing "difficulties" in the relocation of families, individuals, and businesses displaced by Federal or Federally assisted programs and inserted two articles on the subject. pp. 14069-71

#### ITEMS IN APPENDIX

30. FARM PRICES. Rep. Gross inserted an agricultural analyst's letter to him which presents the "relationship between the underpayment to American agriculture and the tremendous expansion of public and private debt." pp. A3484-5
31. OPINION POLLS. Reps. Latta and Griffiths inserted the results of opinion polls, including items of interest to this Department, pp. A3491, A3496
32. MILK MARKETING. Rep. Green, Pa., inserted an article, "Federal Controls At A Snail's Pace", critical of the alleged delay by this Department in amending certain milk marketing orders. pp. A3491-2
33. POVERTY. Rep. Brademas inserted Sargent Shriver's testimony on this program. pp. A3509-11  
Extension of remarks of Rep. Quie criticizing the poverty program and inserting an article. pp. A3519-20
34. FOREIGN AID. Extension of remarks of Rep. Gallagher stating that "the true value of economic aid is an investment in the people who are willing to help themselves", and inserting David Bell's address recounting foreign aid efforts. pp. A3516-9

#### BILLS INTRODUCED

35. PERSONNEL. H. R. 16051 by Rep. Fulton of Tenn., to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors,

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1877. The first of the year was a very dry one. The rain was very scarce. The crops were very poor. The weather was very hot. The people were very poor. The country was very poor.

The second of the year was a very wet one. The rain was very much. The crops were very good. The weather was very cool. The people were very rich. The country was very rich.

The third of the year was a very dry one. The rain was very scarce. The crops were very poor. The weather was very hot. The people were very poor. The country was very poor.

The fourth of the year was a very wet one. The rain was very much. The crops were very good. The weather was very cool. The people were very rich. The country was very rich.

The fifth of the year was a very dry one. The rain was very scarce. The crops were very poor. The weather was very hot. The people were very poor. The country was very poor.

The sixth of the year was a very wet one. The rain was very much. The crops were very good. The weather was very cool. The people were very rich. The country was very rich.

The seventh of the year was a very dry one. The rain was very scarce. The crops were very poor. The weather was very hot. The people were very poor. The country was very poor.

The eighth of the year was a very wet one. The rain was very much. The crops were very good. The weather was very cool. The people were very rich. The country was very rich.

The ninth of the year was a very dry one. The rain was very scarce. The crops were very poor. The weather was very hot. The people were very poor. The country was very poor.

The tenth of the year was a very wet one. The rain was very much. The crops were very good. The weather was very cool. The people were very rich. The country was very rich.

The eleventh of the year was a very dry one. The rain was very scarce. The crops were very poor. The weather was very hot. The people were very poor. The country was very poor.

# DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued July 12, 1966  
For actions of July 11, 1966  
89th-2nd; No. 109

## CONTENTS

Air pollution.....12,26	Foreign trade.....21	Prices.....6
Appropriations.....43,48	Forestry.....29	Property.....27,35,58
Balance of payments.....19	Grain inspection.....55	Public Law 480.....8
Banking.....53	Historic structures.....	Recreation.....23
Building.....35	.....17,23,35	Reorganization.....34
Child nutrition.....11	Inflation.....3	Research.....14,47,56
Civil defense.....51	Information.....49	School lunch.....11
Claims.....1,54	Interest rates.....5	School milk.....11,37
Cocoa.....6	Intergovernmental	Soybeans.....6
Committee.....56	relations.....18	Station transfers.....13
Commodity exchanges.....41	Lands.....40	Surplus property.....27
Commodity reserves.....44	Legislative program...9,26	Tire safety.....15
Continuing	Manpower.....46	Transportation.....2
appropriations.....48	Margarine.....6	Water pollution.....24,28
Cosponsors.....17	Military construction...45	Water resources.....22,33
Defense production...38,50	Moving expenses.....13	Watersheds.....30
Employment.....46	Opinion poll.....32	Weather.....47
Farm program.....25	Pay.....10	Wheat.....17,21
Food.....31,44	Personnel...10,13,46,52,57	Wildlife.....42
Food marketing.....59	Potatoes.....41	World food.....31,44
Foreign affairs.....39	Poverty.....4,16,36	
Foreign aid.....9,20	President's speeches.....7	

HIGHLIGHTS: See page 8

## HOUSE

1. CLAIMS. Concurred in the Senate amendment to H. R. 13651, to "authorize heads of agencies or their designees to compromise claims that do not exceed \$20,000, and are claims for money or property arising out of activities of the agency or are referred to it." This bill will now be sent to the President. pp. 14301-2
2. TRANSPORTATION. Rep. Younger commended and inserted a speech by the president of the United States Freight Co. favoring a Department of Transportation. pp. 14306-7

July 7, 1966

3. INFLATION. Rep. Curtis inserted an item, "Hush-Hush on Prices," which he claimed is an "interesting explanation of how the Johnson administration intends to control inflation." p. 14311
4. POVERTY. Both Houses received the first annual report of the Office of Economic Opportunity. pp. 14388, 14392
5. INTEREST RATES. Rep. Patman spoke on "high interest rates" and criticized the laws under which the Federal Reserve Board operates. pp. 14312-69
6. PRICES. Rep. Curtis stated that he does not "favor price-fixing agreements of any kind, except perhaps as stopgap measures to give time to implement more fundamental policies," and inserted an article on the "difficulties being encountered by the United States in negotiating an international cocoa agreement." pp. 14373-4  
Rep. Gathings stated that "higher food and consumer prices have been responsible for most of the rise in living costs over the past year," and commended the Defense Dept. "for turning to margarine this year when supplies of butter became much lower than usual" and farmers for "turning from cotton and other enterprises to soybeans in many areas." pp. 14382-3
7. PRESIDENT'S SPEECHES. Rep. Hansen, Iowa, commended and inserted the speeches made by the President on his recent trip to Iowa and Nebraska. pp. 14376-82
8. PUBLIC LAW 480. Both Houses received a GAO report on "management of donated food programs for Mexico" under Public Law 480. pp. 14388, 14392
9. LEGISLATIVE PROGRAM. Rep. Albert announced that on Tues. the House will consider the foreign aid authorization bill. p. 14305

SENATE

10. PERSONNEL. Passed, 81-0, as reported H. R. 14122, the proposed Federal Employees' Salary Act of 1966. Rejected: 9-71, a Lausche amendment to make the effective date January 1, 1967, instead of July 1, 1966; and a Williams, Del. amendment, 18-62, providing for an increase in retirement contributions by employees from 6½ to 7 percent with matching amounts contributed by the Government. pp. 14450-89
11. CHILD NUTRITION. The Agriculture and Forestry reported during adjournment (7-7) S. 3467, with an amendment, the child nutrition bill (S. Rept. 1360). ~~pp. 14391~~  
Sen. Byrd, W. Va., spoke in favor of S. 3467, the child nutrition bill. p. 14449  
Sen. Proxmire praised the school milk provisions of S. 3467, the child nutrition bill. p. 14426  
Passed without amendment S. 1312, to authorize funds for the administration of school lunch programs in the D. C. p. 14417
12. AIR POLLUTION. The Committee on Public Works reported during adjournment S. 3112, the proposed Clean Air Act Amendments of 1966 (S. Rept. 1361). p. 14391 (7-7.)



## CHILD NUTRITION

JULY 7, 1966.—Ordered to be printed

Filed under authority of the order of the Senate of June 30, 1966

Mr. ELLENDER, from the Committee on Agriculture and Forestry,  
submitted the following

## REPORT

[To accompany S. 3467]

The Committee on Agriculture and Forestry, to which was referred the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

### CONTENTS OF REPORT

- I. Short explanation.
- II. Purpose.
- III. Committee deliberations.
- IV. Background information.
  - A. National school lunch program—history.
  - B. Major features of the National School Lunch Act.
  - C. Current status—national school lunch program.
  - D. Section 11 of the National School Lunch Act.
  - E. Special milk program.
- V. Programs proposed to be included in the National School Lunch Act.
  - A. Special milk program.
  - B. Breakfast program.
  - C. Nonfood assistance program.
  - D. State administrative expense.
  - E. Preschool programs.
- VI. Section-by-section explanation.

### I. SHORT EXPLANATION

The bill, with the committee amendment, would amend the National School Lunch Act by adding provisions for—

(1) A special milk program for fiscal years 1967, 1968, 1969, and 1970 (new section 13);

(2) A pilot breakfast program for fiscal years 1967 and 1968 in schools drawing attendance from poor economic areas and in schools to which the children must travel long distances (new section 14);

(3) A permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist (new section 15); and

(4) General administration (sections 16 through 25), including provision for—

(A) appropriation of funds to assist State educational agencies, when necessary, in administering additional activities under section 11 and new sections 14 and 15 of the act;

(B) authorizing the Secretary to extend school feeding programs under the act to include preschool programs operated as part of the school system; and

(C) centralization in the Department of Agriculture of the administration of Federal programs to assist school feeding programs.

## II. PURPOSE

The purpose of S. 3467 is to broaden the National School Lunch Act so as to provide for a coordinated, comprehensive child food service in schools and to assure that this is done through existing Federal-State administrative channels with Federal responsibility centralized in the Department of Agriculture.

There has been a proliferation of child feeding programs in recent years operated under various authorities and appropriations. The national school lunch program is and will remain our major national effort in the field of improved child nutrition. The additional authorities and programs provided under this bill will build on the experience of 20 years with the national school lunch program. These programs will be administered by the U.S. Department of Agriculture in cooperation with State and local educational agencies. The national school lunch program is a model of effective Federal-State-local cooperation and the committee feels strongly that child nutrition in schools can best be served by strengthening the existing administrative authority and channels.

## III. COMMITTEE DELIBERATIONS

The committee has given very careful consideration to this bill. The school-lunch program has been in effect now for about 20 years. It has worked well and a very satisfactory method of administering it in cooperation with State and local authorities has been developed. The special milk program also has been developed through the years and is working well. The committee therefore wanted to assure itself that no change would be made in either of these programs or in the manner in which they are administered.

On February 10, 1966, S. 2921 to extend the special milk program was introduced by a number of Senators.

On March 1, 1966, the President sent his message on health and education to the Congress advising that he was submitting to the Congress a Child Nutrition Act of 1966 which would make a number of changes in the language governing the school-lunch and special milk programs and provide for additional child-feeding programs within and without the school system, with special emphasis on

nutrition for needy children. On the same day the Secretary of Agriculture forwarded the proposed bill to Congress.

On May 12 hearings were held on S. 2921 by a subcommittee of the committee, and the subcommittee subsequently reported S. 2921 to the committee, recommending minor changes in it.

During the period following March 1, the chairman of the committee worked with the Secretary of Agriculture to revise the bill proposed by the Department to eliminate language which was raising fears that substantial changes in the school lunch and special milk programs would be effected; and on June 6, introduced S. 3467. Where the Child Nutrition Act of 1966 would have revised the language of the National School Lunch Act and the language providing for the special milk program, S. 3467 makes no material changes in the language now governing those programs. The authority for the special milk program would be included in the National School Lunch Act, but the language was kept as nearly as possible identical to the existing authority (as will be seen from the language comparison set out in this report under Changes in Existing Law). Where the Child Nutrition Act would have provided for feeding programs outside schools, S. 3467 is confined to programs operated as part of the school system (except in the case of the special milk program which would be applicable, as it now is, to additional nonprofit institutions).

On June 21 the full committee held hearings on S. 3467. All witnesses testified in favor of it, although the National Milk Producers Federation testified that it would prefer that the special milk program be covered by separate legislation. The hearings on S. 2921 and S. 3467 have been printed and are available. The Secretary of Agriculture testified in favor of S. 3467, stating that amendments contained in it comprised a vital part of the administration goal.

Subsequent to the hearings the committee adopted a number of amendments which had been suggested in the hearings or recommended by the subcommittee in reporting on S. 2921, or which otherwise appeared advisable on further consideration of the bill. In general these amendments tightened the provisions of the bill, centralized Federal school feeding assistance in the Department of Agriculture, and assured that the school lunch and special milk programs would continue to be operated along the same lines as in the past.

#### IV. BACKGROUND INFORMATION

##### A. THE NATIONAL SCHOOL LUNCH PROGRAM HISTORY

Although school lunch programs of various kinds have operated for many years in this country, Federal assistance on an organized basis actually began in the mid-thirties. In that period, foods acquired by the Department under surplus removal programs were donated to schools to help provide free lunches to needy children. This surplus purchase and donation operation was carried out under the authority of section 32 of the act of August 24, 1935.

The Department's surplus food donation authority was further expanded by section 416 of the Agricultural Act of 1949, authorizing donations of foods acquired by the Commodity Credit Corporation under the price support program. A new authority was added in section 709 of the Food and Agriculture Act of 1965 which authorizes the use of CCC funds for the purchase of dairy products at market



prices to meet the needs of domestic and foreign food assistance programs.

In the 1930's as at present, the volume and kinds of surplus foods available for donation to schools varied from year to year depending on market conditions. Despite these variations, the availability of these foods did stimulate the initiation of school feeding projects to the point where, by 1940, over 2 million children were participating in lunch programs that were receiving Federal surplus foods.

By 1943, the wartime demand for food had virtually eliminated the surplus problem in agriculture and in March of that year the Department announced that section 32 funds would be used to support the lunch program through a reimbursement system. Through this system, schools would receive cash payments to make local purchases of food for their lunch programs. Surplus food donations were continued during the war period but for the most part consisted of occasional supplies of seasonal surpluses of items such as potatoes and cabbage.

This cash assistance program in 1943 contained most of the major elements of the present school lunch program—nutritional standards, free lunches for children determined by local school authorities as unable to pay the full price of the lunch, and the requirement that schools operate their lunch programs on a nonprofit basis. The maximum Federal cash reimbursement per meal was 9 cents.

Through fiscal year 1946, the authority to operate a cash reimbursement program with section 32 funds was contained in the annual appropriation bill for the Department of Agriculture. This cash incentive brought more schools into the program so that, by fiscal year 1946, some 4 million children were participating. State departments of education were beginning to take an active interest in the program although actual administration, including the taking of agreements with individual schools in most cases, remained the responsibility of the Department of Agriculture.

Reliance on year-to-year authorizations in appropriation bills introduced an element of uncertainty as to continuing availability of Federal funds and tended to discourage the States from long-range planning for program expansion. In recognition of these facts, the Congress moved to provide basic permanent enabling legislation that became the National School Lunch Act. The act was approved by the President in June 1946.

#### B. MAJOR FEATURES OF THE NATIONAL SCHOOL LUNCH ACT

1. Responsibility for the program administration is placed in State educational agencies. They select schools for participation, take agreements with participating schools, pay reimbursement claims from funds advanced to the States by the Department and generally supervise operations in the local schools within the policies and regulations established by the Department of Agriculture. The act also provides that the Department of Agriculture will continue to administer the program in private schools in those States where State law prohibits the State educational agency from disbursing funds to other than public schools. Within this overall administrative framework, the operation of the school lunch program has been and will remain a local community and school board responsibility.

2. An annual appropriation is authorized.

3. A specific formula is provided for the distribution of cash assistance funds among the States (including a special formula for distribution of cash assistance for particularly needy schools under sec. 11, which was added to the act in 1962).

4. The Secretary of Agriculture is authorized to establish nutritional standards based on tested nutritional research. These standards are incorporated in the widely known type A lunch that includes a half pint of milk, a protein rich food, fruits and vegetables, bread and butter or fortified margarine. This lunch is designed to meet one-third to one-half of a child's daily nutritional requirements.

5. Lunches are required to be served free or at reduced prices to children unable to pay. The act places specific responsibility on local school officials for the determination of those children unable to pay.

6. Participating schools are required to operate their lunch programs on a nonprofit basis.

7. Section 6 of the act authorizes the Secretary of Agriculture to use a portion of the appropriation for the direct purchase of foods for distribution to participating schools.

#### C. CURRENT STATUS OF THE NATIONAL SCHOOL LUNCH PROGRAM

At the present time, nearly three-fourths of the children enrolled in public and nonprofit private schools have access to a lunch program at school under the National School Lunch Act. This year, 18 million of these children are participating in the program and over 3 billion lunches will be served. Almost 2 million of these children receive a lunch at reduced price or free of charge. The determination as to those children who cannot afford to pay the full price of the meal is made, as it has been made for 20 years, by local school officials. One of the requirements under the National School Lunch Act is that needy children are to receive a reduced price or free meal and that these children are not to be identified in any way as different from their classmates.

Although the primary objective of the program is to improve child nutrition it also fulfills an additional major objective of increasing the market for American farmers.

The program represents a total annual business of \$1.5 billion. It is the largest food service of its kind in the world. The substantial size of the market it offers is evidenced by some figures from a 1963 survey of foods used in school lunches.

	<i>Millions</i>
Meats.....	\$135
Poultry.....	42
Eggs.....	16
Fruits and vegetables.....	156
Dairy products.....	110
Fluid milk.....	296

Federal contributions account for slightly more than 20 percent of the \$1.5 billion in school lunch business. By far the largest proportion of that sum is spent in the child's home town with the local merchants who provide the food and services for the program. The program is administered by local school officials with a frequent assist from the PTA and other local citizens' groups.

Research has revealed that there are some 9 million children with no access to a food service at school. One million of these are children of low-income families who should have a reduced-price or free meal if local resources were adequate to initiate a food service program. For the most part the schools these children attend are in low-income urban areas or in isolated rural areas.

S. 3467 is designed to help close these gaps.

The only major changes that have been made in the National School Lunch Act were made in 1962, when the formula for apportioning appropriated funds among the States was revised to provide a more equitable distribution and encourage program expansion. At the same time a new section was added, section 11, to provide special assistance to schools drawing attendance from areas of poor economic conditions.

#### D. SECTION 11 OF THE NATIONAL SCHOOL LUNCH ACT

The record of the national school lunch program has been one of rapid and sustained growth since enactment of the legislation in 1946. Last year, participation increased by nearly 1 million children.

Despite these gains, the program is not meeting its full potential in providing lunches for needy children. Estimates based on a national survey indicate that some 1.4 million children would qualify for but do not receive a reduced price or free lunch. Almost 1 million of these children are among the 9 million who have no access to lunch service at school. About half a million are children who attend schools that have a lunch program but where the combined Federal, State, and local resources are not adequate to finance the reduced price or free lunch they should receive.

Under the national school lunch program, the local community bears most of the burden of financing the lunch program from children's payments or other sources. In most communities where the percentage of needy children is relatively low, the cost of providing a lunch for these children is not an undue burden on the program's financial structure. However, where the proportion of needy children is high, the local financial structure is frequently inadequate to fund a program that will provide all the reduced price or free meals that should be made available.

In order to meet this situation, the Congress in 1962 amended the National School Lunch Act to provide, under section 11, for special assistance to schools drawing attendance from particularly needy areas. This section of the act was funded in the amount of \$2 million for the first time in fiscal year 1966 on a demonstration basis.

The legislation carries carefully prescribed criteria as to the eligibility of schools for special assistance. It also contains a mandatory special formula for the apportionment of funds among the States. The \$2 million for fiscal year 1966 was not actually available until November of 1965.

The States did a remarkable job in organizing their special assistance programs. Since the assistance payments from these Federal funds could be used only to help meet food costs, local resources and support were essential to finance the labor, equipment, and other costs of the program. Frequently, the local PTA or other civic organizations helped meet the other costs.



Most of the demonstration projects were not actually underway until February or March of 1966.

A total of 831 schools in all 50 States and the District of Columbia participated in the projects. The number of children enrolled in these schools totaled 325,000. Nearly 137,000 children, or more than 60 percent of the total enrollment, participated on a daily basis.

Eighty-two schools operated lunch programs for the first time. Some two-thirds of the children enrolled in these schools participated in the lunch program. Although complete data are not available for every project, preliminary indications are that over 50,000 needy children received lunches at school for the first time.

In North Carolina, six schools participated in the demonstration project. Prior to the new program, less than one-third of the total enrollment of 6,400 children were participating in the lunch program. As a result of the additional assistance provided the student participation increased from 2,060 to nearly 5,000.

In California, 20 schools were approved for special assistance with an average daily attendance of 13,840 children. Here, the increase in participation as a result of reducing the lunch price from 30 cents to 20 cents, was 65 percent. In addition, there was a decrease in the number of lunches previously served free because more children could afford to pay the lower price for the lunch.

In Pennsylvania, 25 urban and rural schools with an enrollment of 9,000 children were approved as demonstration projects. Lunch prices were reduced from an average of 31.7 cents to 15.7 cents in these schools. As a result, the level of program participation increased by one-third and the number of free lunches provided more than doubled.

In Georgia, 20 needy schools were approved as demonstration projects. Lunch prices were substantially lowered because of the additional funds provided and the level of participation increased from 63 percent of enrollment to 84 percent.

In Tennessee, it was possible to initiate a lunch program for the first time in 16 schools which had previously been unable to finance a lunch program. With the special assistance funds it was possible to establish lunch prices in these 16 programs at 10 to 16 cents with the result that nearly 90 percent of the 1,300 children in these schools were able to receive a lunch at school for the first time.

In order to assist the States to meet their added supervisory functions in administering section 11, the bill authorizes appropriations for advances to States where necessary for that purpose.

#### E. THE SPECIAL MILK PROGRAM

The Agricultural Act of 1954 provided that Commodity Credit Corporation funds could be used to increase the consumption of fluid milk by children in public and nonprofit private high schools and elementary schools. It was a time of high acquisitions of dairy products under the price-support program and the House Committee on Agriculture stated:

In section 320, the committee also provides for the next 2 years an entirely new and extremely beneficial method of supporting dairy prices by providing for increased fluid milk consumption by children in nonprofit schools of high school

grade and under. At the present time, the Commodity Credit Corporation is not authorized to purchase milk and sell it to schools or donate it for school lunch programs and similar uses. This will authorize CCC to use not to exceed \$50 million of its funds for such disposal activities during each of the next 2 years.

In 1956, the program was extended for an additional 2 years and was expanded to include nonprofit nursery schools, child-care centers, settlement houses, and similar agencies for the care and training of underprivileged children. At that time, the House Committee on Agriculture stated:

The special school milk program is not a charity program. It is a program for the utilization of surplus fluid milk by making it available to children in schools and similar institutions. The method of distribution is for the Department of Agriculture to pay part of the cost of the fluid milk over and above that normally consumed by the school or institution, so that milk may be made available to children at a reduced price, thus stimulating consumption.

By 1958, although the \$75 million in program funds were still charged to the Commodity Credit Corporation, it was explicitly stated that they—

shall not be considered as amounts expended for the purpose of carrying out the price-support program.

The Agricultural Act of 1961 authorized appropriations to carry on the program for the 5 fiscal years ending on June 30, 1967.

During the fiscal year which ended June 30, 1966, some 3 billion half pints of milk were consumed under this program. This was over and above the 3 billion half pints of milk served as part of the type A lunch under the national school lunch program.

Consumption under the special milk program represents about 2½ percent of the national fluid milk consumption.

## V. PROGRAMS PROPOSED TO BE INCLUDED IN THE NATIONAL SCHOOL LUNCH ACT

### A. SPECIAL MILK PROGRAM

Section 13 of the bill provides for extension of the special milk program through fiscal year 1970. Existing authority for this program expires June 30, 1967. The legislative authority for continuance of the program is incorporated in these amendments to the National School Lunch Act because both programs are administered through State educational agencies and are concerned with the improved nutrition of our Nation's children.

The language of the amendment makes it clear that the milk program is to be operated by the Secretary—

to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478 as amended, during the fiscal year ended June 30, 1966.

This language is not intended to restrict program administration or program growth unduly. It is intended to indicate the general lines of program operation which the committee favors.

The milk program has made a substantial contribution to improved nutrition among children and should now be made an integral part of our national effort on this score.

This section carries its own authorization authority as does each of the other sections to assure that there will be no transfer of funds among the various programs and that each program will stand and be funded on its own merits.

#### B. BREAKFAST PROGRAM

Under section 14 of the bill the Secretary is authorized to initiate a 2-year pilot breakfast program in certain types of schools. Eligible schools would be those drawing attendance from areas in which poor economic conditions exist and also those schools where a substantial proportion of the children enrolled travel long distances.

There is no question but that thousands of children arrive at school hungry and this inevitably affects their span of attention and conduct. In rural areas, children frequently ride the bus for as much as an hour or more and then stand around and wait for school to start. These children leave home early and time often does not allow for adequate breakfast. They often must wait 6 to 8 hours for lunch. In urban areas, thousands of children are in families where the mother must leave for work long before the children leave for school. Breakfast tends to be a neglected meal.

In determining the eligibility of schools drawing attendance from areas in which poor economic conditions exist, the committee is concerned that there be a reasonably uniform interpretation by the various Federal Government agencies and suggests that, in administering the program, the Secretary consider the eligibility standards prescribed under the Elementary and Secondary Education Act of 1965.

In cases of very severe need in the school, the Secretary may authorize financial assistance up to 90 percent of the operating costs of the program. In most situations, however, Federal assistance will be limited to the food supplies needed for the program with local sources defraying labor and other costs.

Following the pattern and experience with the type A lunch under the national school lunch program, the Secretary is authorized to prescribe nutritional standards that must be met. The basic strength of the lunch program has been that participating schools must agree to serve a combination of foods that improve a child's nutrition in order to receive Federal assistance. A great deal of research has gone into the question of what a child needs each day and from this came the type A meal pattern followed in the school lunch program. As part of its technical assistance efforts, the U.S. Department of Agriculture has developed menu planning and buying guides that are made available to the schools but local school lunch officials do all their own day-in, day-out menu planning. They may serve any food they want as long as the total meal meets established nutritional requirements. The same techniques and procedures will be followed under the pilot breakfast program.



The pilot breakfast program also carries the provision that—

Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

To the extent practicable, it is expected that children determined to be needy will pay a nominal or token price. Other children attending schools approved for a breakfast program may participate on a paying basis.

#### C. NONFOOD ASSISTANCE PROGRAM

Although the present National School Lunch Act carries authority for providing nonfood assistance, this section has not been funded for many years since the language is general in tone and does not lend itself to concentrating funds in those specific schools that most need help in initiating or expanding a food service. For this reason, section 15 of the proposed amendments is designed to spell out the intent of Congress in this respect.

There are 9 million children who, for one reason or another, have no access to a meal at school. Many rural schools and many urban schools, built years ago, have no food service facilities. In many of these schools most of the children enrolled are in families with very limited income. The local tax base is limited and the many needs of the community are such that funds are inadequate to meet these needs.

Section 15 provides that the State educational agency may provide assistance to schools in this situation. Applicant schools will be required to justify their need for assistance on a project basis and to submit a detailed description of the equipment to be acquired and their proposals for its use in meeting the nutritional needs of children. In addition, State or local sources must bear one-fourth of the cost of equipment or facilities financed under this authority.

Careful and prudent administration of this section will be required to assure its full effectiveness.

#### D. STATE ADMINISTRATIVE EXPENSES

The national school lunch program has operated for 20 years with all State administrative costs borne by the State governments. The program has now reached a stage, including the introduction of the new activities, where the States will have to increase their supervisory and technical assistance capabilities.

Section 11, the special assistance phase of the national school lunch program; the breakfast program and the nonfood assistance program will require a greatly expanded effort on the part of State school lunch personnel. More analysis will be required to determine the eligibility of schools for special assistance. These schools will need guidance in all phases of their lunch operations. A thorough analysis will also be needed on a project-by-project basis of applications for nonfood

assistance. Schools will also need help to get off to a sound start on a breakfast program.

In view of this additional workload and the additional responsibilities the State educational agencies are being asked to undertake, the bill provides that some help may be provided these agencies where necessary to enable them to administer these additional activities effectively.

#### E. PRESCHOOL PROGRAMS

Section 23 clarifies the situation with respect to preschool programs. At the present time, the Secretary of Agriculture may not make school lunch programs available to children in schools below the kindergarten level even though they are attending an organized class. If such programs are operated as part of the school system, the children in attendance will now be made eligible for school food programs.

### VI. SECTION-BY-SECTION EXPLANATION

#### SECTION 1—TECHNICAL AMENDMENTS

Section 1(A) keeps the appropriation authorization for the national school lunch program separate from those for the new programs provided by the bill.

Section 1 (B) excludes funds appropriated for the new programs from section 6 of the National School Lunch Act, which provides that part of the funds may be used for Department administrative expenses and part may be used for direct food purchases.

Section 1 (C) defines "nonprofit institution" as an institution, other than a school, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 1 (D) adds new sections 13 through 25 to the National School Lunch Act. The new sections are as follows:

Section 13—Special Milk.

Section 14—School Breakfast.

Section 15—Nonfood Assistance.

Section 16 through 25—General Provisions.

#### NEW SECTION 13—SPECIAL MILK PROGRAM

New section 13, which provides for the special milk program is identical to section 2 of the act of July 1, 1958, the current authority for the special milk program, except (1) the current authority runs only through June 30, 1967, while the new authority runs through fiscal 1970; (2) appropriations would be limited to not more than \$110 million for the fiscal year ending June 30, 1967; not more than \$115 million for the fiscal year ending June 30, 1968; and not more than \$120 million for each of the 2 succeeding fiscal years; and (3) new section 13 requires the Secretary to administer the program in the same manner as in the past. This last change was considered necessary to make clear the intention of Congress that the course of the program is not to be changed. The language of the existing law provides the Secretary with very broad authority as to the manner in which the program is to be conducted. He might administer it in



the same general manner as in the past; or he could place much greater emphasis on assistance to schools in low-income areas, schools without school lunch programs, or otherwise change the course of the program. The change described in item (3) above would require the Secretary to administer the program insofar as practicable in the same manner as in the past. Since the new authority would be part of the National School Lunch Act, the general provisions of that act would be applicable.

#### NEW SECTION 14—PILOT BREAKFAST PROGRAM

New section 14 provides for a pilot school breakfast program for fiscal years 1967 and 1968.

Subsection (a) authorizes appropriations for such program in schools serving children from low-income areas and in schools drawing attendance from children who have to travel long distances. The appropriation for fiscal 1967 could not exceed \$7.5 million. The appropriation for fiscal 1968 could not exceed \$10 million.

Subsections (b) and (c) provide for apportionment to States. Three percent would be apportioned to Guam, the Virgin Islands, Puerto Rico, and American Samoa, on the basis of the number of children ages 5 through 17. From the balance the other States would each receive, first, a basic grant of about \$49,000 (a total of \$2,500,000 equally divided) and, second, additional funds on the basis of need as indicated by the number of children in the State, ages 5 through 17, in families with income of less than \$2,000 plus children, ages 5 through 17, in families with incomes of more than \$2,000 per annum from payments under the program for aid to families with dependent children.

Subsection (d) requires States to disburse funds to schools found eligible by the State educational agency at rates per meal that will be established by the Secretary. These funds are to be spent only for food for needy children.

Subsection (e) provides that in instances of severe need, the Secretary may authorize assistance up to 90 percent of the operating cost of a breakfast program, including the cost of obtaining, preparing and serving food. In these schools Federal funds could be disbursed in amounts in excess of the per meal rates described in subsection (d) and could be used to cover costs of preparation and serving in addition to the cost of the food itself. Assistance under subsection (e) would be given only if the applicant school showed the need for such assistance.

Subsection (f) requires meals served under this section to meet nutritional requirements prescribed by the Secretary on the basis of tested nutritional research and to be served free or at reduced cost only to those children found, by local school authorities, to be unable to pay the full cost. This is generally similar to the requirement contained in the existing National School Lunch Act.

Subsection (g) provides that the Department of Agriculture will administer the program in nonprofit private schools in those States whose educational agency is forbidden, by law, to disburse funds to other than public schools. This is similar to the method followed under the National School Lunch Act.

#### NEW SECTION 15—NONFOOD ASSISTANCE PROGRAM

New section 15 provides for a permanent nonfood assistance program in schools drawing attendance from poor economic areas.



Subsection (a) authorizes appropriations to assist States in helping such schools acquire facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food.

Subsection (b) provides that funds shall be apportioned among the States on the same basis as school lunch funds under section 4. Payments to States are made on condition that one-fourth of the cost of any facilities financed shall be borne by State or local funds.

Subsection (c) permits the State educational agency to disburse funds to eligible schools by advance or by reimbursement only on request from the school, accompanied by a detailed description of the facilities to be acquired and plans for their use to improve the nutritional needs of the children in the school. Applicant schools would have to show the need for such assistance and the inability of local tax sources to finance the facilities.

Subsection (d) requires the Department of Agriculture to administer the program in nonprofit private schools in those States where the State educational agency is not permitted, by law, to disburse funds to other than public schools.

#### NEW SECTION 16—PAYMENTS TO STATES

New section 16 provides that the Secretary shall certify to the Secretary of Treasury payments to be made to any State under the new provisions and the Secretary of Treasury shall make the payment. This is the same procedure currently used under the national school lunch program.

#### NEW SECTION 17—STATE ADMINISTRATIVE EXPENSES

New section 17 authorizes the appropriation of funds needed to assist State educational agencies in the administration of additional activities undertaken under sections 11, 14, and 15 (the existing provision for special school lunch assistance in low-income areas, and the new provisions for school breakfasts and nonfood assistance).

#### NEW SECTION 18—UTILIZATION OF FOODS

New section 18 requires schools participating in the breakfast program to use to the extent practicable foods designated by the Secretary as being in abundance, and to receive foods donated by the Department of Agriculture.

#### NEW SECTION 19—NONPROFIT PROGRAMS

New section 19 requires all food and milk service programs receiving assistance under the act to be operated on a nonprofit basis. This is similar to the requirement under the National School Lunch Act.

#### NEW SECTION 20—STATISTICAL DATA

New section 20 provides that information on numbers of children, ages 5 through 17, and on per capita income shall be made available by the Secretary of Commerce and, unless otherwise specified, shall be the latest available. Data on the numbers of children, ages 5 through 17, in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children shall be provided by that Department.

## NEW SECTION 21—REGULATIONS

New section 21 authorizes regulations.

## NEW SECTION 22—PROHIBITIONS

New section 22 prohibits—

(a) The Secretary and the States from imposing any requirements with respect to teaching personnel, curriculum, or materials of instruction in carrying out the special milk or other programs added to the National School Lunch Act. A similar provision now applies to the national school lunch program.

(b) The value of assistance to children under the National School Lunch Act from being considered as income or resources for purposes of other programs.

(c) State and local expenditures for food programs for children from being reduced as a result of funds received under the National School Lunch Act.

## NEW SECTION 23—PRESCHOOL PROGRAMS

New section 23 authorizes the Secretary to extend the benefits of school feeding programs under the act to preschool programs operated as part of the school system.

## NEW SECTION 24—CENTRALIZATION OF ADMINISTRATION

New section 24 would centralize in the Department of Agriculture the administration of all Federal programs to provide assistance to school food service programs. To the extent practicable other Federal agencies would be required to transfer to the Department of Agriculture any funds to be used for such assistance. The purpose of the Committee is that Federal assistance not be dissipated by being divided among various agencies and administered under varying regulations through varying local agencies.

In view of the proliferation of child feeding programs in schools, sponsored and financed by several agencies of the Federal Government, under varying regulations and standards, it seems time to express the intent of Congress that these programs be brought under the supervision of the Department of Agriculture. It would be difficult to find a program that has been operated more effectively and efficiently or to the greater benefit of children than the national school lunch program. The thousands of schools throughout the country that participate in this program know precisely what is required of them. The lines of administration and communication are clear. The mutual responsibilities of the Department of Agriculture, the State educational agency, and the local school authorities are thoroughly understood by all. The technical assistance resources, the workshop and other techniques used by State and local groups throughout the country for training their school lunch personnel are well established and effective.

The national school lunch program is the largest food service of its kind in the world. It is logical, therefore, that full use be made of the expertness acquired in 20 years of operating this program.

## NEW SECTION 25—NO CHANGE IN SCHOOL LUNCH PROGRAM

New section 25 requires the school lunch program to be administered in the same manner as in the past.

There has been considerable misunderstanding recently as to the prospects for continuing the national school lunch program in its present form. The committee is thoroughly convinced that there was no intent to change the basic national school lunch program in any way. To assure that no such change can occur and to express full confidence in the existing administration and operation of the program, section 25 provides that:

The Secretary shall administer sections 1 through 12 of this act to the maximum extent practicable in the same manner as he administered those sections during the fiscal year ended June 30, 1966.

This language is not intended to inhibit program administration. It is intended to indicate the committee's endorsement and approval of the approach now being followed in program administration.

## CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

## NATIONAL SCHOOL LUNCH ACT

AN ACT To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National School Lunch Act."

\* \* \* \* \*

## APPROPRIATIONS AUTHORIZED

SEC. 3. For each fiscal year there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as "the Secretary") to carry out the provisions of this Act, other than section 11 *and other than sections 13 through 15 and section 17.*

\* \* \* \* \*

## DIRECT FEDERAL EXPENDITURES

SEC. 6. The funds appropriated for any fiscal year for carrying out the provisions of this Act (*other than sections 13 through 15 and section 17*), less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses, less the amount apportioned by him pursuant to sections 4, 5, and 10, and less the amount appropriated pursuant to section 11, shall be available to the Secretary during such year for direct expenditure by him for agri-



cultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this Act in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act.

\* \* \* \* \*

#### MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 12. (a) States, State educational agencies, and schools participating in the school-lunch program under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this Act with respect to the operation of the school-lunch program under this Act insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school.

(d) For the purposes of this Act—

(1) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(2) "State educational agency" means, as the State legislature may determine, (A) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (B) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education.

(3) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

(4) "Nonfood assistance" means equipment used by schools in storing, preparing, or serving food for schoolchildren.

(5) "Participation rate" for a State means a number equal to the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary pursuant to section 9, served in the preceding fiscal year by schools participating in the program under this act in the State, as determined by the Secretary.

(6) "Assistance need rate" (A) in the case of any State having an average annual per capita income equal to or greater than the

average annual per capita income for all the States, shall be 5; and (B) in the case of any State having an average annual per capita income less than the average annual per capita income for all the States, shall be the product of 5 and the quotient obtained by dividing the average annual per capita income for all the States by the average annual per capita income for such State, except that such product may not exceed 9 for any such State. For the purposes of this paragraph (i) the average annual per capita income for any State and for all the States shall be determined by the Secretary on the basis of the average annual per capita income for each State and for all the States for the three most recent years for which such data are available and certified to the Secretary by the Department of Commerce; and (ii) the average annual per capita income for American Samoa shall be disregarded in determining the average annual per capita income for all the States for periods ending before July 1, 1967.

(7) "School" means any public or nonprofit private school of high school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

(8) "Nonprofit institution" means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

#### SPECIAL MILK PROGRAM

##### AUTHORIZATION

SEC. 13. *There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000, for the fiscal year ending June 30, 1968, not to exceed \$115,000,000, and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478 as amended, during the fiscal year ended June 30, 1966.*

**Note.**—Section 13 is substantially similar to section 2 of Public Law 85-478, and a comparison of the two provisions is hereinafter set out.

#### SCHOOL BREAKFAST PROGRAM

##### AUTHORIZATION

SEC. 14. (a) *There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable*



*the Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools drawing attendance from areas in which poor economic conditions exist and in schools to which a substantial proportion of the children enrolled must travel long distances.*

#### APPORTIONMENT TO STATES

*(b) Of the funds appropriated for the purposes of this section for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, the Virgin Islands, Puerto Rico, and American Samoa. Such funds shall be apportioned among such States on the basis of the ratio of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.*

*(c) Of the remainder of the funds appropriated, the Secretary shall for each fiscal year, (1) apportion the first \$2,500,000 equally among the States, other than Guam, the Virgin Islands, Puerto Rico, and American Samoa, and (2) apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.*

#### STATE DISBURSEMENT TO SCHOOLS

*(d) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (e). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances.*

*(e) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.*

#### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

*(f) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and*



shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### NONPROFIT PRIVATE SCHOOLS

(g) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under subsections (b) and (c) of this section an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children enrolled in all schools within the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### NONFOOD ASSISTANCE PROGRAM AUTHORIZATION

SEC. 15. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and for each fiscal year thereafter such sums as may be necessary to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

#### APPORTIONMENTS TO STATES

(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of this Act for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that one-fourth of the cost of any facilities financed under this subsection shall be borne by State or local funds.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need

for such assistance and the inability of local tax sources to finance the food service equipment and facilities needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### NONPROFIT PRIVATE SCHOOLS

(d) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsection (b) an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary under section 9 of this Act served in the preceding fiscal year by all nonprofit private schools participating in the program under section 2 within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### PAYMENTS TO STATES

SEC. 16. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 13 through 17 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### STATE ADMINISTRATIVE EXPENSES

SEC. 17. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under sections 11, 14, and 15 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

#### UTILIZATION OF FOODS

SEC. 18. Each school and nonprofit institution participating under section 14 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school

authorities, and to nonprofit institutions for utilization in their feeding programs under this Act.

#### NONPROFIT PROGRAMS

SEC. 19. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

#### STATISTICAL DATA

SEC. 20. Data on numbers of children of ages five through seventeen and on per capita income shall be made available by the Secretary of Commerce to the Secretary and, except where otherwise expressly stated in this Act, shall be the latest available. Data on the numbers of children, ages 5 through 17, in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children shall be provided by that Department.

#### REGULATIONS

SEC. 21. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

#### PROHIBITIONS

SEC. 22. (a) In carrying out the provisions of sections 13 through 15 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any nonprofit institution.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

#### PRESCHOOL PROGRAMS

SEC. 23. The Secretary may extend the benefits of school feeding programs under this Act to include preschool programs operated as part of the school system.

#### CENTRALIZATION OF ADMINISTRATION

SEC. 24. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act.



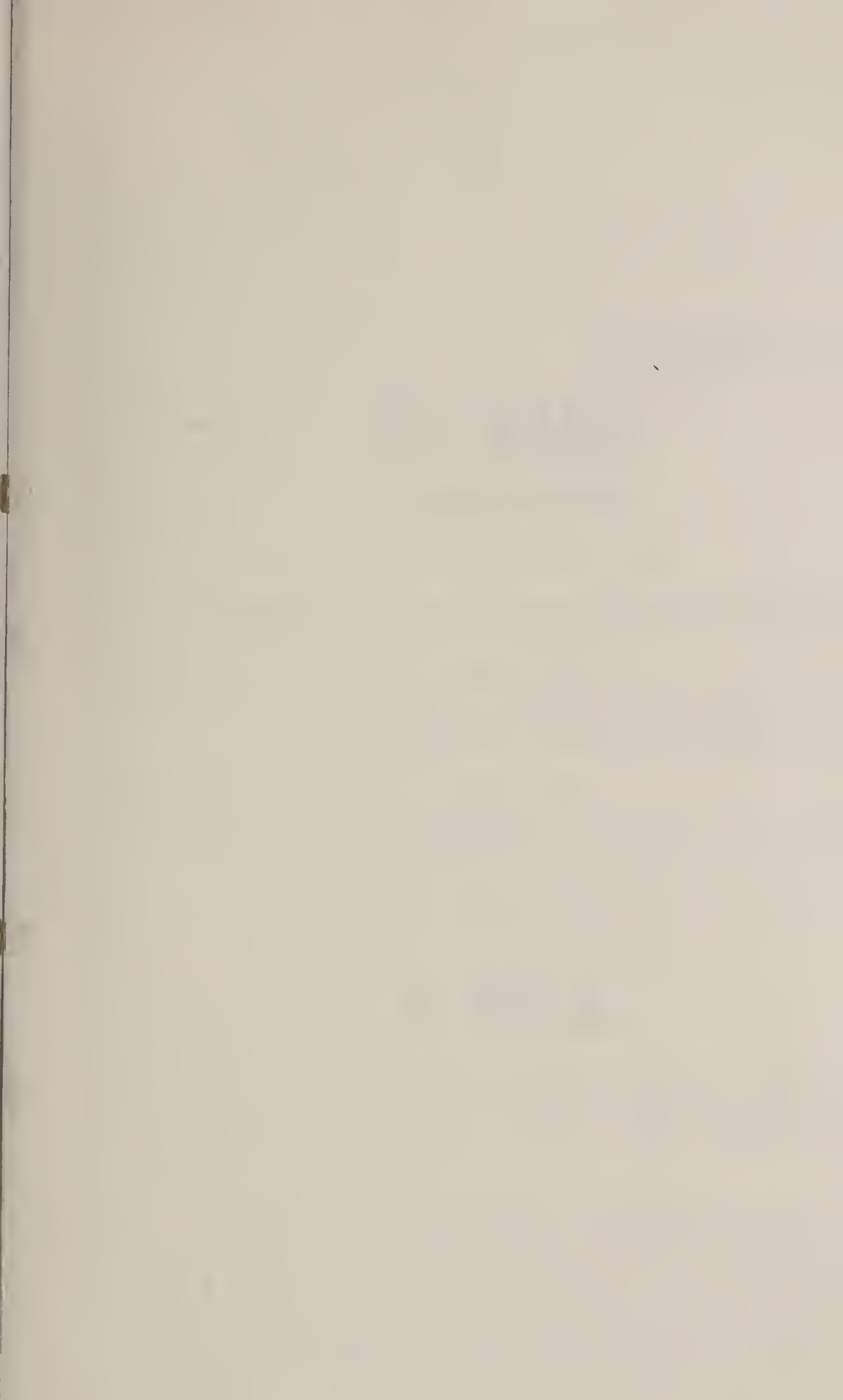
## NO CHANGE IN SCHOOL LUNCH PROGRAM

*SEC. 25. The Secretary shall administer sections 1 through 12 of this Act to the maximum extent practicable in the same manner as he administered those sections during the fiscal year ended June 30, 1966.*

**(Comparison of the new section 13 proposed to be added to the National School Lunch Act by the bill with section 2 of Public Law 85-478 (existing law not included in section 13 is enclosed in black brackets, new language is printed in italic, and language contained in both section 13 and section 2 is shown in roman):)**

**[SEC. 2.] SEC. 13.** There is hereby authorized to be appropriated for the fiscal year **[beginning July 1, 1962, and for each of the four fiscal years thereafter such sums as may be necessary]** *ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000,* to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this **[Act]** *section "United States"* means the **[50]** *fifty* States and the District of Columbia. *The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478 as amended, during the fiscal year ended June 30, 1966.*









Calendar No. 1325

89TH CONGRESS  
2D SESSION

**S. 3467**

[Report No. 1360]

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IN THE SENATE OF THE UNITED STATES

JUNE 6, 1966

Mr. ELLENDER (by request) introduced the following bill; which was read twice  
and referred to the Committee on Agriculture and Forestry

JULY 7, 1966

Reported, under authority of the order of the Senate of June 30, 1966, by  
Mr. ELLENDER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

---

**A BILL**

To amend the National School Lunch Act, as amended, to  
strengthen and expand food service programs for  
children.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the National School Lunch Act, as amended, is  
4       amended—

5                (A) By inserting in section 3 before the period at  
6       the end thereof the following phrase: “and other than  
7       sections 13 through 15.”

1           ~~(B)~~ By inserting in section 6 after the word "Act"  
 2       where first occurs the following: "(other than sections  
 3       13 through 15)."

4           ~~(C)~~ By adding at the end of subsection ~~(d)~~ of  
 5       section 12, the following new paragraph:

6       "~~(8)~~ 'Nonprofit institution' means any public or private  
 7       institution, except a school or other educational institution  
 8       of higher learning, which provides for the care and train-  
 9       ing of children and no part of the net earnings of which  
 10      inures to the benefit of any private shareholder or individual."

11          ~~(D)~~ By adding at the end of the Act the follow-  
 12      ing new sections:

13                               "SPECIAl MILK PROGRAM

14                               "AUTHORIZATION

15       "SEC. 13. There is hereby authorized to be appropriated  
 16      for the fiscal year beginning July 1, 1967, and each fiscal  
 17      year thereafter during the period ending June 30, 1970,  
 18      such sums as may be necessary, but not in excess of  
 19      \$100,000,000 for any fiscal year, to enable the Secretary  
 20      of Agriculture, under such rules and regulations as he may  
 21      deem in the public interest, to encourage consumption of  
 22      fluid milk by children in the United States in ~~(1)~~ nonprofit  
 23      schools of high school grade and under, and ~~(2)~~ nonprofit  
 24      nursery schools, child-care centers, settlement houses, sum-  
 25      mer camps, and similar nonprofit institutions devoted to the

1 care and training of children. For the purposes of this  
2 section 'United States' means the fifty States and the District  
3 of Columbia.

4 "SCHOOL BREAKFAST PROGRAM

5 "AUTHORIZATION

6 "SEC. 14. (a) There is hereby authorized to be appro-  
7 priated for each of the fiscal years ending June 30, 1967,  
8 1968, and 1969 such sums as may be necessary to enable  
9 the Secretary to formulate and carry out a pilot program  
10 to assist States through grants-in-aid and other means, to  
11 initiate, maintain or expand nonprofit breakfast programs  
12 in schools drawing attendance from areas in which poor  
13 economic conditions exist and in schools to which a sub-  
14 stantial proportion of the children enrolled must travel long  
15 distances.

16 "APPORTIONMENT TO STATES

17 "(b) Of the funds appropriated for the purposes of  
18 this section for any fiscal year, the Secretary shall reserve  
19 3 per centum for apportionment to Guam, the Virgin Islands,  
20 Puerto Rico, and American Samoa. Such funds shall be  
21 apportioned among such States on the basis of the ratio of  
22 the number of children of ages five through seventeen in  
23 each such State to the number of all children of ages five  
24 through seventeen in all such States.

25 "(c) Of the remainder of the funds appropriated, the



1 Secretary shall for each fiscal year, ~~(1)~~ apportion the first  
2 \$2,500,000 equally among the States, other than Guam,  
3 the Virgin Islands, Puerto Rico, and American Samoa, and  
4 ~~(2)~~ apportion the remainder among such States on the  
5 basis of the ratio of the number of children in each State of  
6 ages five through seventeen in families with incomes of less  
7 than \$2,000 per annum plus the number of children of ages  
8 five through seventeen in families receiving more than  
9 \$2,000 per annum from payments under the Department  
10 of Health, Education, and Welfare's program of aid to  
11 families with dependent children to the total number of  
12 such children in the fifty States and the District of Columbia:

13 "STATE DISBURSEMENT TO SCHOOLS

14 "(d) Funds apportioned and paid to any State for the  
15 purpose of this section shall be disbursed by the State educa-  
16 tional agency to schools selected by the State educational  
17 agency, to reimburse such schools for the cost of obtaining  
18 agricultural and other foods for consumption by needy  
19 children in a breakfast program and for the purpose of sub-  
20 section (e). Such food costs may include, in addition to  
21 the purchase price, the cost of processing, distributing, trans-  
22 porting, storing, and handling. Disbursement to schools  
23 shall be made at such rates per meal or on such other basis  
24 as the Secretary shall prescribe. In selecting schools, the  
25 State educational agency shall, to the extent practicable, give

1 first consideration to those schools drawing attendance from  
2 areas in which poor economic conditions exist.

3 “(e) In circumstances of severe need where the rate per  
4 meal established by the Secretary is deemed by him insuf-  
5 ficient to carry on an effective breakfast program in a school,  
6 the Secretary may authorize financial assistance up to 90  
7 per centum of the operating costs of such a program, in-  
8 cluding cost of obtaining, preparing, and serving food.

9 “NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

10 “(f) Breakfasts served by schools participating in the  
11 school breakfast program under this section shall consist of a  
12 combination of foods and shall meet minimum nutritional  
13 requirements prescribed by the Secretary on the basis of  
14 tested nutritional research. Such breakfasts shall be served  
15 without cost or at a reduced cost to children who are deter-  
16 mined by local school authorities to be unable to pay the full  
17 cost of the breakfast. In making such determinations, such  
18 local authorities should, to the extent practicable, consult  
19 with public welfare and health agencies. No physical seg-  
20 regation of or other discrimination against any child shall be  
21 made by the school because of his inability to pay.

22 “NONPROFIT PRIVATE SCHOOLS

23 “(g) If in any State the State educational agency is not  
24 permitted by law to disburse the funds paid to it under this  
25 section to nonprofit private schools, the Secretary shall with-

1 hold from the funds apportioned to any such State under  
2 subsections ~~(b)~~ and ~~(c)~~ of this section an amount based on  
3 the ratio of the number of children enrolled in nonprofit  
4 private schools within the State to the total number of chil-  
5 dren enrolled in all schools within the State. The Secretary  
6 shall disburse the funds so withheld directly to the nonprofit  
7 private schools within such State for the same purposes and  
8 subject to the same conditions as are required of a State  
9 educational agency disbursing funds made available under  
10 this section.

11 "NONFOOD ASSISTANCE PROGRAM

12 "AUTHORIZATION

13 "SEC. 15. ~~(a)~~ There is hereby authorized to be appro-  
14 priated for the fiscal year ending June 30, 1968, and for  
15 each fiscal year thereafter such sums as may be necessary  
16 to enable the Secretary to formulate and carry out a program  
17 to assist the States through grants-in-aid and other means to  
18 supply schools drawing attendance from areas in which poor  
19 economic conditions exist with facilities, other than land and  
20 buildings, for the storage, preparation, transportation, and  
21 serving of food to enable such schools to establish, maintain,  
22 and expand school food service programs.

23 "APPORTIONMENTS TO STATES

24 "(b) The Secretary shall apportion the funds appro-  
25 priated for the purposes of this section among the States



1 during each fiscal year on the same basis as apportionments  
 2 are made under section 4 of this Act for supplying agricul-  
 3 tural and other foods, except that apportionment to American  
 4 Samoa for any fiscal year shall be on the same basis as the  
 5 apportionment to the other States. Payments to any State  
 6 of funds apportioned for any fiscal year shall be made upon  
 7 condition that one-fourth of the cost of any facilities financed  
 8 under this subsection shall be borne by State or local funds.

9 "STATE DISBURSEMENT TO SCHOOLS

10 "(c) Funds apportioned and paid to any State for the  
 11 purpose of this section shall be disbursed by the State edu-  
 12 cational agency to assist schools, which draw attendance from  
 13 areas in which poor economic conditions exist and which  
 14 have no, or grossly inadequate, facilities, to conduct a school  
 15 food service program, and to acquire such facilities. Dis-  
 16 bursements to any school may be made, by advances or re-  
 17 imbursements, only after approval by the State educational  
 18 agency of a request by the school for funds, accompanied  
 19 by a detailed description of the facilities to be acquired and  
 20 the plans for the use thereof in effectively meeting the nutri-  
 21 tional needs of children in the school.

22 "NONPROFIT PRIVATE SCHOOLS

23 "(d) If in any State the State educational agency is not  
 24 permitted by law to disburse the funds paid to it under this  
 25 section to nonprofit private schools in the State, the Secre-

1 tary shall withhold from the funds apportioned to such State  
 2 under subsection (b) an amount which bears the same ratio  
 3 to such funds as the number of lunches, consisting of a  
 4 combination of foods and meeting the minimum requirements  
 5 prescribed by the Secretary under section 9 of this Act  
 6 served in the preceding fiscal year by all nonprofit private  
 7 schools participating in the program under section 2 within  
 8 the State, as determined by the Secretary, bears to the par-  
 9 ticipation rate for the State. The Secretary shall disburse  
 10 the funds so withheld directly to the nonprofit private schools  
 11 within such State for the same purposes and subject to the  
 12 same conditions as are required of a State educational agency  
 13 disbursing funds made available under this section.

#### 14 "PAYMENTS TO STATES

15 "SEC. 16. The Secretary shall certify to the Secretary  
 16 of the Treasury from time to time the amounts to be paid  
 17 to any State under section 13 through 17 of this Act and the  
 18 time or times such amounts are to be paid; and the Secretary  
 19 of the Treasury shall pay to the State at the time or times  
 20 fixed by the Secretary the amounts so certified.

#### 21 "STATE ADMINISTRATIVE EXPENSES

22 "SEC. 17. The Secretary may utilize not to exceed  $4\frac{1}{2}$   
 23 per centum of the total funds appropriated under this Act  
 24 for any fiscal year for advances to each State educational  
 25 agency for use for its administrative expenses in carrying out

1 programs under this Act: *Provided*, That no such agency  
 2 shall receive a sum greater than 1 per centum of the funds  
 3 apportioned to it under this Act, or \$5,700, whichever is  
 4 greater. The amount of such payments shall be deducted  
 5 from such appropriated funds prior to any apportionment  
 6 thereof under this Act.

#### 7 "SELECTION OF SCHOOLS

8 "SEC. 18. In the selection of schools and nonprofit in-  
 9 stitutions to receive Federal assistance under sections 13, 14,  
 10 and 15 of this Act, the State agency shall adopt the methods  
 11 and procedures necessary to assure coordination with and  
 12 give, where the need is comparable, preference to programs  
 13 carried on under the Elementary and Secondary Education  
 14 Act of 1965 and the Economic Opportunity Act of 1964 in  
 15 such schools or institutions.

#### 16 "UTILIZATION OF FOODS

17 "SEC. 19. Each school and nonprofit institution partici-  
 18 pating under section 14 of this Act shall, insofar as practi-  
 19 cable, utilize in its program foods designated from time to  
 20 time by the Secretary as being in abundance, either na-  
 21 tionally or in the school area, or foods donated by the Secre-  
 22 tary. Foods available under section 416 of the Agricultural  
 23 Act of 1949 (63 Stat. 1058), as amended, or purchased  
 24 under section 32 of the Act of August 24, 1935 (49 Stat.



1 774), as amended, or section 709 of the Food and Agri-  
2 culture Act of 1965 (79 Stat. 1212), may be donated by  
3 the Secretary to schools, in accordance with the needs as  
4 determined by local school authorities, and to nonprofit  
5 institutions for utilization in their feeding programs under  
6 this Act, as well as to other schools carrying out nonprofit  
7 school lunch programs and other institutions authorized to  
8 receive such foods.

9 "NONPROFIT PROGRAMS

10 "SEC. 20. The food and milk service programs in schools  
11 and nonprofit institutions receiving assistance under this Act  
12 shall be conducted on a nonprofit basis.

13 "STATISTICAL DATA

14 "SEC. 21. Data on numbers of children of ages five  
15 through seventeen and on per capita income shall be made  
16 available by the Secretary of Commerce to the Secretary and;  
17 except where otherwise expressly stated in this Act, shall be  
18 the latest available.

19 "REGULATIONS

20 "SEC. 22. The Secretary shall prescribe such regulations  
21 as he may deem necessary to carry out this Act.

22 "PROHIBITIONS

23 "SEC. 23(a). In carrying out the provisions of section  
24 13 of this Act, neither the Secretary nor the State shall im-  
25 pose any requirements with respect to teaching personnel,

curriculum, instruction, methods of instruction, and materials of instruction in any nonprofit institution.

“(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

“SEC. 24. The Secretary may extend the benefits of school feeding programs under this Act to include preschool programs operated as part of the school system.”

*That the National School Lunch Act, as amended, is amended—*

*(A) By inserting in section 3 before the period at the end thereof the following phrase: “and other than sections 13 through 15 and section 17”.*

*(B) By inserting in section 6 after the word “Act” where it first occurs the following: “(other than sections 13 through 15 and section 17)”.*

*(C) By adding at the end of subsection (d) of section 12, the following new paragraph:*

*“(8) ‘Nonprofit institution’ means any public or private institution, except a school or other educational institution*

1 of higher learning, which provides for the care and train-  
2 ing of children and no part of the net earnings of which in-  
3 ures to the benefit of any private shareholder or individual.”

4 (D) By adding at the end of the Act the follow-  
5 ing new sections:

6 “SPECIAL MILK PROGRAM

7 “AUTHORIZATION

8 “SEC. 13. There is hereby authorized to be appropriated  
9 for the fiscal year ending June 30, 1967, not to exceed \$110,  
10 000,000; for the fiscal year ending June 30, 1968, not to  
11 exceed \$115,000,000; and for each of the two succeeding  
12 fiscal years not to exceed \$120,000,000, to enable the Sec-  
13 retary of Agriculture, under such rules and regulations as he  
14 may deem in the public interest, to encourage consumption of  
15 fluid milk by children in the United States in (1) nonprofit  
16 schools of high school grade and under, and (2) nonprofit  
17 nursery schools, child-care centers, settlement houses, sum-  
18 mer camps, and similar nonprofit institutions devoted to the  
19 care and training of children. For the purposes of this sec-  
20 tion ‘United States’ means the fifty States and the District  
21 of Columbia. The Secretary shall administer the special  
22 milk program provided for by this section to the maximum  
23 extent practicable in the same manner as he administered  
24 the special milk program provided for by Public Law 85-478  
25 as amended, during the fiscal year ended June 30, 1966.



1                   “SCHOOL BREAKFAST PROGRAM

2                   “AUTHORIZATION

3           “SEC. 14. (a) There is hereby authorized to be appro-  
4   priated for the fiscal year ending June 30, 1967, not to ex-  
5   ceed \$7,500,000; and for the fiscal year ending June 30,  
6   1968, not to exceed \$10,000,000, to enable the Secretary  
7   to formulate and carry out a pilot program to assist States  
8   through grants-in-aid and other means, to initiate, maintain,  
9   or expand nonprofit breakfast programs in schools drawing  
10   attendance from areas in which poor economic conditions  
11   exist and in schools to which a substantial proportion of the  
12   children enrolled must travel long distances.

13                  “APPORTIONMENT TO STATES

14           “(b) Of the funds appropriated for the purposes of  
15   this section for any fiscal year, the Secretary shall reserve  
16   3 per centum for apportionment to Guam, the Virgin Islands,  
17   Puerto Rico, and American Samoa. Such funds shall be  
18   apportioned among such States on the basis of the ratio of  
19   the number of children of ages five through seventeen in  
20   each such State to the number of all children of ages five  
21   through seventeen in all such States.

22           “(c) Of the remainder of the funds appropriated, the  
23   Secretary shall for each fiscal year, (1) apportion the first  
24   \$2,500,000 equally among the States, other than Guam,

1 the Virgin Islands, Puerto Rico, and American Samoa, and  
2 (2) apportion the remainder among such States on the  
3 basis of the ratio of the number of children in each State of  
4 ages five through seventeen in families with incomes of less  
5 than \$2,000 per annum plus the number of children of ages  
6 five through seventeen in families with incomes of more than  
7 \$2,000 per annum from payments under the Department  
8 of Health, Education, and Welfare's program of aid to  
9 families with dependent children to the total number of  
10 such children in the fifty States and the District of Columbia.

11 "STATE DISBURSEMENT TO SCHOOLS

12 "(d) Funds apportioned and paid to any State for the  
13 purpose of this section shall be disbursed by the State educa-  
14 tional agency to schools selected by the State educational  
15 agency, to reimburse such schools for the cost of obtaining  
16 agricultural and other foods for consumption by needy  
17 children in a breakfast program and for the purpose of sub-  
18 section (e). Such food costs may include, in addition to  
19 the purchase price, the cost of processing, distributing, trans-  
20 porting, storing, and handling. Disbursement to schools  
21 shall be made at such rates per meal or on such other basis  
22 as the Secretary shall prescribe. In selecting schools, the  
23 State educational agency shall, to the extent practicable, give  
24 first consideration to those schools drawing attendance from  
25 areas in which poor economic conditions exist and to those

1 schools to which a substantial proportion of the children  
2 enrolled must travel long distances.

3 “(e) In circumstances of severe need where the rate per  
4 meal established by the Secretary is deemed by him insuffi-  
5 cient to carry on an effective breakfast program in a school,  
6 the Secretary may authorize financial assistance up to 90  
7 per centum of the operating costs of such a program, in-  
8 cluding cost of obtaining, preparing, and serving food. In  
9 the selection of schools to receive assistance under this section,  
10 the State educational agency shall require applicant schools  
11 to provide justification of the need for such assistance.

12 “NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

13 “(f) Breakfasts served by schools participating in the  
14 school breakfast program under this section shall consist of a  
15 combination of foods and shall meet minimum nutritional  
16 requirements prescribed by the Secretary on the basis of  
17 tested nutritional research. Such breakfasts shall be served  
18 without cost or at a reduced cost only to children who are  
19 determined by local school authorities to be unable to pay the  
20 full cost of the breakfast. In making such determinations,  
21 such local authorities should, to the extent practicable, consult  
22 with public welfare and health agencies. No physical seg-  
23regation of or other discrimination against any child shall be  
24 made by the school because of his inability to pay.



1                   “NONPROFIT PRIVATE SCHOOLS

2           “(g) If in any State the State educational agency is not  
3 permitted by law to disburse the funds paid to it under this  
4 section to nonprofit private schools, the Secretary shall with-  
5 hold from the funds apportioned to any such State under  
6 subsections (b) and (c) of this section an amount based on  
7 the ratio of the number of children enrolled in nonprofit  
8 private schools within the State to the total number of chil-  
9 dren enrolled in all schools within the State. The Secretary  
10 shall disburse the funds so withheld directly to the nonprofit  
11 private schools within such State for the same purposes and  
12 subject to the same conditions as are required of a State  
13 educational agency disbursing funds made available under  
14 this section.

15                   “NONFOOD ASSISTANCE PROGRAM

16                   “AUTHORIZATION

17           “SEC. 15. (a) There is hereby authorized to be appro-  
18 priated for the fiscal year ending June 30, 1967, and for  
19 each fiscal year thereafter such sums as may be necessary  
20 to enable the Secretary to formulate and carry out a program  
21 to assist the States through grants-in-aid and other means to  
22 supply schools drawing attendance from areas in which poor  
23 economic conditions exist with facilities, other than land and  
24 buildings, for the storage, preparation, transportation, and

1 *serving of food to enable such schools to establish, maintain,*  
2 *and expand school food service programs.*

3 *“APPORTIONMENTS TO STATES*

4 *“(b) The Secretary shall apportion the funds appro-*  
5 *priated for the purposes of this section among the States*  
6 *during each fiscal year on the same basis as apportionments*  
7 *are made under section 4 of this Act for supplying agricul-*  
8 *tural and other foods, except that apportionment to American*  
9 *Samoa for any fiscal year shall be on the same basis as the*  
10 *apportionment to the other States. Payments to any State*  
11 *of funds apportioned for any fiscal year shall be made upon*  
12 *condition that one-fourth of the cost of any facilities financed*  
13 *under this subsection shall be borne by State or local funds.*

14 *“STATE DISBURSEMENT TO SCHOOLS*

15 *“(c) Funds apportioned and paid to any State for the*  
16 *purpose of this section shall be disbursed by the State edu-*  
17 *cational agency to assist schools, which draw attendance from*  
18 *areas in which poor economic conditions exist and which*  
19 *have no, or grossly inadequate, facilities, to conduct a school*  
20 *food service program, and to acquire such facilities. In the*  
21 *selection of schools to receive assistance under this section,*  
22 *the State educational agency shall require applicant schools*  
23 *to provide justification of the need for such assistance and the*  
24 *inability of local tax sources to finance the food service equip-*

1    *ment and facilities needed. Disbursements to any school may*  
2    *be made, by advances or reimbursements, only after approval*  
3    *by the State educational agency of a request by the school for*  
4    *funds, accompanied by a detailed description of the facilities*  
5    *to be acquired and the plans for the use thereof in effectively*  
6    *meeting the nutritional needs of children in the school.*

7                    *“NONPROFIT PRIVATE SCHOOLS*

8            *“(d) If in any State the State educational agency is not*  
9    *permitted by law to disburse the funds paid to it under this*  
10   *section to nonprofit private schools in the State, the Secre-*  
11   *tary shall withhold from the funds apportioned to such State*  
12   *under subsection (b) an amount which bears the same ratio*  
13   *to such funds as the number of lunches, consisting of a*  
14   *combination of foods and meeting the minimum requirements*  
15   *prescribed by the Secretary under section 9 of this Act*  
16   *served in the preceding fiscal year by all nonprofit private*  
17   *schools participating in the program under section 2 within*  
18   *the State, as determined by the Secretary, bears to the par-*  
19   *ticipation rate for the State. The Secretary shall disburse*  
20   *the funds so withheld directly to the nonprofit private schools*  
21   *within such State for the same purposes and subject to the*  
22   *same conditions as are required of a State educational agency*  
23   *disbursing funds made available under this section.*



1                               “PAYMENTS TO STATES

2           “SEC. 16. *The Secretary shall certify to the Secretary*  
3 *of the Treasury from time to time the amounts to be paid*  
4 *to any State under sections 13 through 17 of this Act and the*  
5 *time or times such amounts are to be paid; and the Secretary*  
6 *of the Treasury shall pay to the State at the time or times*  
7 *fixed by the Secretary the amounts so certified.*

8                               “STATE ADMINISTRATIVE EXPENSES

9           “SEC. 17. *The Secretary may utilize funds appropriated*  
10 *under this section for advances to each State educational*  
11 *agency for use for its administrative expenses in supervising*  
12 *and giving technical assistance to the local school districts in*  
13 *their conducting of programs under this Act. Such funds*  
14 *shall be advanced only in amounts and to the extent deter-*  
15 *mined necessary by the Secretary to assist such State agencies*  
16 *in the administration of additional activities undertaken by*  
17 *them under sections 11, 14, and 15 of this Act. There are*  
18 *hereby authorized to be appropriated such sums as may be*  
19 *necessary for the purposes of this section.*

20                               “UTILIZATION OF FOODS

21           “SEC. 18. *Each school participating under section 14 of*  
22 *this Act shall, insofar as practicable, utilize in its program*

1 *foods designated from time to time by the Secretary as being*  
2 *in abundance, either nationally or in the school area, or foods*  
3 *donated by the Secretary. Foods available under section 416*  
4 *of the Agricultural Act of 1949 (63 Stat. 1058), as amended,*  
5 *or purchased under section 32 of the Act of August 24, 1935*  
6 *(49 Stat. 774), as amended, or section 709 of the Food and*  
7 *Agriculture Act of 1965 (79 Stat. 1212), may be donated by*  
8 *the Secretary to schools, in accordance with the needs as de-*  
9 *termined by local school authorities, for utilization in their*  
10 *feeding programs under this Act.*

11 "NONPROFIT PROGRAMS

12 "SEC. 19. *The food and milk service programs in*  
13 *schools and nonprofit institutions receiving assistance under*  
14 *this Act shall be conducted on a nonprofit basis.*

15 "STATISTICAL DATA

16 "SEC. 20. *Data on numbers of children of ages five*  
17 *through seventeen and on per capita income shall be made*  
18 *available by the Secretary of Commerce to the Secretary and,*  
19 *except where otherwise expressly stated in this Act, shall be*  
20 *the latest available. Data on the numbers of children, ages 5*  
21 *through 17, in families with incomes of more than \$2,000 per*  
22 *annum from payments under the Department of Health, Ed-*  
23 *ucation and Welfare's program of aid to families with de-*  
24 *pendent children shall be provided by that Department.*

1                                   “REGULATIONS

2           “SEC. 21. *The Secretary shall prescribe such regula-*  
3 *tions as he may deem necessary to carry out this Act.*

4                                   “PROHIBITIONS

5           “SEC. 22. (a) *In carrying out the provisions of sections*  
6 *13 through 15 of this Act, neither the Secretary nor the State*  
7 *shall impose any requirements with respect to teaching per-*  
8 *sonnel, curriculum, instruction, methods of instruction, and*  
9 *materials of instruction in any nonprofit institution.*

10          “(b) *The value of assistance to children under this Act*  
11 *shall not be considered to be income or resources for any pur-*  
12 *pose under any Federal or State laws including, but not lim-*  
13 *ited to, laws relating to taxation, welfare, and public assist-*  
14 *ance programs. Expenditures of funds from State and local*  
15 *sources for the maintenance of food programs for children*  
16 *shall not be diminished as a result of funds received under this*  
17 *Act.*

18                                   “PRESCHOOL PROGRAMS

19          “SEC. 23. *The Secretary may extend the benefits of*  
20 *school feeding programs under this Act to include preschool*  
21 *programs operated as part of the school system.*

22                                   “CENTRALIZATION OF ADMINISTRATION

23          “SEC. 24. *Authority for the conduct and supervision of*  
24 *Federal programs to assist schools in providing food service*



1 *programs for children is assigned to the Department of Agri-*  
2 *culture. To the extent practicable, other Federal agencies*  
3 *administering programs under which funds are to be pro-*  
4 *vided to schools for such assistance shall transfer such funds*  
5 *to the Department of Agriculture for distribution through*  
6 *the administrative channels and in accordance with the*  
7 *standards established under this Act.*

8           “NO CHANGE IN SCHOOL LUNCH PROGRAM

9           “SEC. 25. *The Secretary shall administer sections 1*  
10 *through 12 of this Act to the maximum extent practicable*  
11 *in the same manner as he administered those sections during*  
12 *the fiscal year ended June 30, 1966.*”



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**A BILL**

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To amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

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By Mr. ELLENDER

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JUNE 6, 1966

Read twice and referred to the Committee on  
Agriculture and Forestry

JULY 7, 1966

Reported with an amendment



To spread information effectively, the experimenters have hired a "family planning educator" in each Black Belt county. The educator is a Negro woman who is widely known, liked and respected in the community, a person able to talk informally with the women visiting the health clinics.

### CHILD NUTRITION

Mr. BYRD of West Virginia. Mr. President, I wish to add my endorsement to Senate bill 3467, a bill to amend the National School Lunch Act by expanding the food service programs that are offered to schoolchildren in the country. The bill incorporates a measure which I was happy to cosponsor to make the school milk program permanent and to maintain its authorization at a high level. It also contains many of the fine features of the Child Nutrition Act which was proposed earlier this year.

Coming from the State of West Virginia, which shouldered what may go down in history as the greatest employment hardship anywhere resulting from technological progress, I know the value of these school food service programs.

I cannot emphasize too fully the effect which the Federal school milk program has had upon youngsters—not only in West Virginia—but also in all other States. By offering these children milk at prices within the allowances of their families, we have contributed, perhaps, the most important element of their physical growth. It has given them nutrition which they may never have received had it not been for the program.

In West Virginia alone, 250,169 students are enrolled in primary and secondary schools participating in the program. The estimated \$102 million that will be spent nationally on the program during fiscal year 1966 has meant a contribution of \$536,000 to West Virginia.

Currently, West Virginia receives about \$2.4 million for the school lunch program. It is also anticipated that West Virginia will share in breakfast funds, as they are to be allocated on the basis of average family income in each State, compared to the national average.

Under the milk program, the youngsters have been able to buy milk—when they can afford it—for as little as 2 or 3 cents a half pint. Without this Federal aid, the cost will jump, perhaps, from 7 to 10 cents for the same half pint.

I would like to note a statement made by the president of one parent-teacher association at Huntington, W. Va. He said:

Many of our children depend upon this milk for the nourishment that is needed to keep them in school. Without proper nourishment our children lose interest in school and these children are our potential drop-outs.

I believe we are making great strides in the economic recovery of Appalachia. We are planning new roads and airports to open the area to tourists and businessmen. We are seeking new industries for our unemployed. This program of offering low-cost food to our youngsters represents a major factor in preparing the people of Appalachia for the future. Our youngsters are the future. To help them

meet the challenges, we must offer the proper foods for their good health.

### MOST WELFARE RECIPIENTS EARN THEIR KEEP

Mr. MOSS. Mr. President, I find that one of the most persistent misconceptions existing in my State of Utah is that welfare payments are handed out to individuals who refuse to work in order to qualify for assistance. When I was at home recently over the 4th of July recess, several citizens in their discussions with me expressed their dissatisfaction with the "handout of money" to people who refuse to work. Some were quite vehement in their insistence that there were many, many people who simply sat down and refused to work while drawing welfare.

Consequently, I was pleased to see an article written by Arnold Irvine, which appeared in the *Deseret News* on Thursday, July 7, 1966, discussing this problem. He points out that in Utah there is a requirement that those people seeking welfare, work to the extent that they are able. And it is pointed out that in Salt Lake County, which is the largest county in our State, populationwise, 100 percent of the employables on welfare assistance are participating in work projects. Moreover, Mr. Campanaro is quoted as saying:

People like to work. They don't like to be taken off the projects.

This has been my observation from personal experience. I believe that people do indeed, like to work. They would much prefer some activity and the feeling of importance that comes from giving services for support received.

I ask unanimous consent that the article to which I have referred be printed in the *Record* at this point.

There being no objection, the article was ordered to be printed in the *Record*, as follows:

#### MOST WELFARE CASES EARN THEIR KEEP (By Arnold Irvine)

"Why don't they make these people on the welfare rolls work for what they get?"

This is a question that employes and officials of county and state welfare departments hear almost daily.

The answer they give is most able-bodied persons receiving welfare assistance ARE working to pay their keep. Only three counties, Beaver, Daggett and Rich, had no welfare work projects in 1965.

#### ONE HUNDRED PERCENT

"We have 100 per cent of the employables on welfare assistance participating in work projects," Jeano Campanaro said of the situation in Salt Lake County. He has had charge of work projects in the county and has just been appointed director of volunteer services.

He explained that those not considered employable include invalids, persons who are mentally incompetent and mothers with children to care for.

#### HIS PHILOSOPHY

"Any person who walks and talks and has two hands is capable of some kind of work," is the way Mr. Campanaro sums up his philosophy about welfare work projects.

The projects are all connected with governmental or other public agencies and include many types of work—janitorial, groundskeeping, street cleaning, construc-

tion labor, food handling, clerical, personal services, etc. The "etc." is limited only by the imagination of the caseworkers and the abilities of the clients.

#### SIDE BY SIDE

No regular paid employees of a department may be replaced with welfare clients. The welfare clients are supplemental workers that are employed where there is need for them but no funds to pay them. Yet the welfare people work alongside paid employees from whom they are indistinguishable, and make a worthwhile contribution.

In some instances, the projects are designed to benefit the welfare clients themselves.

For instance, many Indians on the welfare rolls in San Juan County are making cement blocks and building their own homes to replace primitive hogans. The Indians also are working on road crews and installing water systems.

Salt Lake County inaugurated a project of having women on welfare assistance make periodic visits to the homes of elderly welfare clients who needed special care and attention.

Sixteen women were given two weeks' training for this project in January. They were taught food preparation, shopping, budgeting, grooming, household cleanliness and other appropriate subjects.

#### ALL GAIN

Everyone involved has benefitted from the project—the visitors, the visitees and the taxpayers. Through the experience they gained and the contacts they made, half of the 16 women involved in the project have found gainful employment in nursing homes or private homes.

The women doing the visiting get satisfaction from helping others and the persons visited are greatly benefitted as well. For one thing, they do not have to be placed in rest homes so soon. This has saved the state thousands of dollars as well.

#### CREATES JOB

"If I don't have a project for a person who wants to work, I'll go out and create one," Mr. Campanaro said.

He told of placing a woman in the cafeteria of one of the public agencies. He had seriously considered committing her to the State Mental Hospital, but the people at the cafeteria were willing to try to help.

She responded surprisingly well to the work "therapy" and was hired as a regular staff member.

Another woman has become an assistant librarian after having learned the job on a welfare project.

#### LIKE WORK

"People like to work. They don't like to be taken off the projects," Mr. Campanaro said.

One project worker expressed herself this way: "It's the only thing I have that keeps me going. It makes me feel important in life."

The welfare clients' pay rate is figured at a dollar an hour so that an individual receiving \$86 per month welfare assistance is expected to work 86 hours. Couples receiving \$138 a month work 138 hours and so on.

#### THIRTY-DAY AID

Persons who refuse to work or fail to perform in a satisfactory manner may be discharged from the project. They become ineligible to receive aid for a period of 30 days. After this period, they may reapply for welfare aid provided they are willing to conform to the work requirements.

This situation seldom arises, Mr. Campanaro said.

No one seems to remember exactly when the concept of welfare work projects first was developed in Utah. They seem to go back to the forties. There are now about 150 projects in operation throughout the state involving over 900 workers.



So, Mr. and Mrs. Taypayer, your welfare dollar in Utah is buying an hour of useful work in many instances and is helping some welfare clients become self-sustaining.

# CANADIAN LEGISLATION PARALLELS PROPOSED "CONSCIENCE CLAUSE" AMENDMENT TO THE TAFT-HARTLEY ACT

Mr. JAVITS. Mr. President, on April 6, 1966, I introduced a bill, S. 3203, which would amend the National Labor Relations Act to insure that anyone whose objection to joining or paying dues to a union is based on religious belief would not be forced to violate such religious belief. This measure is identical to the amendment unanimously adopted by the Senate Labor Committee, with the concurrence of the AFL-CIO, during the committee's consideration last year of H.R. 77, the bill to repeal section 14(b).

It has come to my attention that the Parliament of the Province of Saskatchewan, Canada, has recently enacted section 5(1) of the Saskatchewan Trade Union Act, which contains provisions substantially the same as those in my bill. The Saskatchewan provision reads as follows:

(1) excluding from an appropriate unit of employees an employee where the board finds, in its absolute discretion, that the employee objects:

(i) to joining or belonging to a trade union; or

(ii) to paying dues and assessments to a trade union; as a matter of conscience based on religious training or belief during such period that the employees pays:

(iii) to a charity mutually agreed upon by the employee and the trade union that represents a majority of employees in the appropriate unit; or

(iv) where agreement cannot be reached by these parties, to a charity designated by the board; an amount at least equal to the amount of dues and assessments that a member of that trade union is required to pay to the trade union during such period.

Mr. President, there now seems to be a growing consensus that this sort of amendment is appropriate and will not interfere with the legitimate rights of labor, and I would urge, once again, that the National Labor Relations Act be amended along the lines I have suggested.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## FEDERAL EMPLOYEES PAY ACT OF 1966

Mr. MONRONEY. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 14122) to adjust the rates of basic compensation of certain employees of the Federal Government and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate

proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Salary and Fringe Benefits Act of 1966".

### TITLE I—EXECUTIVE BRANCH

#### Short title

SEC. 101. This title may be cited as the "Federal Employees Salary Act of 1966".

#### Employees subject to Classification Act of 1949

SEC. 102. (a) Section 603(b) of the Classification Act of 1949, as amended (79 Stat. 1111; 5 U.S.C. 1113(b)), is amended to read as follows:

"(b) The compensation schedule for the General Schedule shall be as follows:

Grade	Per annum rates and steps									
	1	2	3	4	5	6	7	8	9	10
GS-1	\$3,609	\$3,731	\$3,853	\$3,975	\$4,097	\$4,219	\$4,341	\$4,463	\$4,585	\$4,707
GS-2	3,925	4,058	4,191	4,324	4,457	4,590	4,723	4,856	4,989	5,122
GS-3	4,269	4,413	4,557	4,701	4,845	4,989	5,133	5,277	5,421	5,565
GS-4	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216
GS-5	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915
GS-6	5,867	6,065	6,263	6,461	6,659	6,857	7,055	7,253	7,451	7,649
GS-7	6,461	6,664	6,877	7,090	7,303	7,516	7,729	7,942	8,155	8,368
GS-8	7,068	7,303	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183
GS-9	7,696	7,957	8,218	8,479	8,740	9,001	9,262	9,523	9,784	10,045
GS-10	8,421	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013
GS-11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056
GS-12	10,927	11,306	11,685	12,064	12,443	12,822	13,201	13,580	13,959	14,338
GS-13	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
GS-14	15,106	15,629	16,152	16,675	17,198	17,721	18,244	18,767	19,290	19,813
GS-15	17,550	18,157	18,764	19,371	19,978	20,585	21,192	21,799	22,406	23,013
GS-16	20,075	20,745	21,415	22,085	22,755	23,425	24,095	24,765	25,435	
GS-17	22,760	23,520	24,280	25,040	25,800					
GS-18	25,890									

(b) Except as provided in section 504(d) of the Federal Salary Reform Act of 1962 (78 Stat. 412; 5 U.S.C. 1173(d)), the rates of basic compensation of officers and employees to whom the compensation schedule set forth in subsection (a) of this section applies shall be initially adjusted as of the effective date of this section, as follows:

(1) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at one of the rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding rate in effect on and after such date.

(2) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate between two rates of a grade in the General Schedule of the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date.

(3) If the officer or employee is receiving basic compensation immediately prior to the effective date of this section at a rate in excess of the maximum rate for his grade, he shall receive (A) the maximum rate for his grade in the new schedule, or (B) his existing rate of basic compensation if such existing rate is higher.

(4) If the officer or employee, immediately prior to the effective date of this section, is receiving, pursuant to section 2(b)(4) of the Federal Employees Salary Increase Act of 1955, an existing aggregate rate of compensation determined under section 208(b) of the Act of September 1, 1954 (68 Stat. 1111), plus subsequent increases authorized by law, he shall receive an aggregate rate of

compensation equal to the sum of his existing aggregate rate of compensation, on the day preceding the effective date of this section, plus the amount of increase made by this section in the maximum rate of his grade, until (i) he leaves his position, or (ii) he is entitled to receive aggregate compensation at a higher rate by reason of the operation of this Act or any other provision of law; but, when such position becomes vacant, the aggregate rate of compensation of any subsequent appointee thereto shall be fixed in accordance with applicable provisions of law. Subject to clauses (i) and (ii) of the immediately preceding sentence of this paragraph, the amount of the increase provided by this section shall be held and considered for the purposes of section 208(b) of the Act of September 1, 1954, to constitute a part of the existing rate of compensation of the employee.

#### New appointments under Classification Act of 1949

SEC. 103. Section 801 of the Classification Act of 1949, as amended (78 Stat. 401; 5 U.S.C. 1131), relating to new appointments, is amended by striking out "grade 13" and inserting in lieu thereof "grade 11".

#### Postal Field Service employees

SEC. 104. (a) Section 3542(a) of title 39, United States Code, is amended to read as follows:

"(a) There is established a basic compensation schedule for positions in the postal field service which shall be known as the Postal Field Service Schedule and for which the symbol shall be 'PFS'. Except as provided in sections 3543 and 3544 of this title, basic compensation shall be paid to all employees in accordance with such schedule.



form of "compensatory time." The balance, or 17,000 hours of coaching time, constituted unpaid or uncompensated work.

The failure of this District of Columbia school system to pay for extra duty has placed the District of Columbia school system at a competitive economic disadvantage. Teachers have either transferred to another school system in the area which does pay for extra duty, or have left the school system entirely, because they were not being compensated for extra duty.

#### PROVISIONS OF THE BILL

The bill authorizes the Board of Education, with the approval of the Board of Commissioners, on written recommendation of the Superintendent of Schools, to fix an amount of additional compensation for teachers, now assigned a standard workload, who are assigned to perform extra duties on a continuing basis. Such additional compensation is to be paid monthly following performance of service and shall not be subject to deduction or withholding for retirement or insurance, nor considered as salary for those purposes. The bill allows such additional compensation to be paid for more than one activity assigned to a classroom teacher so long as such activities are not performed concurrently.

Section 2 authorizes the Board of Education of the District of Columbia to make necessary regulations to carry out the purposes of the act. Section 3 provides the act shall take effect September 1, 1965.

#### ANNUAL COST

The committee was informed that the annual cost of S. 2574 is estimated to be \$225,000 for 450 teachers expected to participate. The bill provides the Board of Education of the District of Columbia with the authority to determine compensation schedules and select teachers coming under the program.

The Subcommittee on Fiscal Affairs, on June 21, 1966, held public hearings on S. 2574. At this hearing, representatives of the Washington Teachers Union, the Board of Education of the District of Columbia, the District of Columbia Congress of Parents and Teachers, and the District of Columbia Coaches Association appeared and testified in support of S. 2574. The Commissioners of the District of Columbia testified in favor of the principle of extra-duty compensation.

#### SHARP RISE IN PRESIDENT'S POPULARITY REFLECTED IN BOMBING OF OIL DEPOTS IN HANOI AND HAIPHONG

Mr. LONG of Louisiana. Mr. President, I note with great interest in this morning's Washington Post, there is published a report entitled "Bombing Raises L.B.J. Popularity: Many Now Expect Shorter War."

The decision to bomb the oil depots of Haiphong and Hanoi has resulted in a sharp increase in the popularity of the President. This reflects what I believe the President has known for some time, that the earlier decline in his popularity was due to what was going on in Vietnam and had nothing to do with the fact that we were doing too much there. Evidently, the people of this country think that we should be doing a lot more there than we have.

It is the view of the American people that we should fight and win the war in Vietnam, or get out. We recognize that the Communist powers have just as much determination and staying power as we have, in a long and drawn out stalemate. It is my judgment that no

President could take this country into a war and fight over a long period of time, pulling our punches, and taking heavy casualties over an 8- or 10-year period, with no hope of ever winning it, and be reelected.

So far as the people of this country are concerned, they want to know why they would have to accept a stalemate when we possess the military capability to overwhelm aggressors and maintain our position.

My judgment is that this country cannot stand a military defeat in Vietnam and remain a major military power, or, for that matter, a major world power at all. Those nations which have not shown courage and fortitude to back up their nation's policies with national will and determination are no longer first-rate powers.

This Nation is the hope of the free world. I personally applaud President Johnson for his decision that we must make the cost of aggression ever greater, that we must make the aggressor suffer an ever pain at the source of aggression, particularly when the United States is committed to help victims of aggression defend themselves.

Mr. President, I notice that those in opposition to the President's Vietnam policy of bombing the enemy's oil facilities, according to the Harris survey as reported in the article to which I have referred, appear to have only 15 percent of the American people on their side.

This is very interesting, in view of the great deal of conversation we have heard from them, as well as the views of powerful newspapers, particularly some in the East, which strongly support the policies of retreat and defeat. Accordingly, when it comes to seeing how the majority of our people feel about this situation, these powerful newspapers and other voices raised in opposition to the President's decision, apparently are speaking the judgments of only 15 percent of the American public.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HARRIS SURVEY: BOMBING RAISES L.B.J. POPULARITY—MANY NOW EXPECT SHORTER WAR

(By Louis Harris)

By ordering the bombings in the Hanoi and Haiphong areas of North Vietnam, President Johnson has sharply reversed the trend of public disaffection with his handling of the Vietnam war to the point where today a majority of 54 per cent of the American public supports his conduct of the struggle.

The specific move to bomb the oil depots on the outskirts of Hanoi and Haiphong meets with better than 5-1 approval of the American people. In actual percentages, 62 per cent are in favor of the action, 11 per cent opposed, and the remaining 27 per cent are undecided. This projects to on 85-15 per cent support for the Administration if the undecided are eliminated.

On the eve of the bombings, the Harris Survey had just completed interviewing a cross section of the public. This study found the Johnson rating on handling the Vietnam war was at a 17-month low with a positive score of 42 per cent. A week later, after

the bombings had begun, that rating has risen 12 points to 54 per cent.

The dominant argument advanced by Americans who go along with the bombings is the hope that it will hasten an end to the war.

By a 6-to-1 ratio, people accept the military need for bombing fuel supplies. A rather high 39 per cent, however, feel the bombings would be harder to justify if they hit civilian population centers. And an even higher 43 per cent of the American people believe that as a result of the new escalation, the Chinese Communists are now likely to enter the war.

In short, it is apparent that Mr. Johnson has gained at least a temporary victory with American public opinion. But he has also taken some serious risks which would later come back to damage his basis for support.

If it is proven out that large numbers of civilians are killed in the new bombing attacks, the President will be severely criticized. If the Chinese come into the war with ground troops, sizable numbers of Americans will hold Mr. Johnson responsible.

But probably the most critical dimension is the overwhelming expectation on the part of the people that these new bombings will "get it over with" in Vietnam. In effect, this puts a time limit on the part of the American people within which they will expect the conflict to be concluded, either by military victory or by negotiations.

The response of the public, it should be pointed out, is partly a matter of hard-headed reasoning, but also contains a sizeable measure of emotion born of the long frustration over the war.

Here is the trend of President Johnson's ratings on the way he has handled the Vietnam war since January 1965, in response to the question:

"How would you rate the job President Johnson has done in handling the war in Vietnam—excellent, pretty good, only fair, or poor?"

#### L.B.J. handling of Vietnam

[In percent]

	Good to excellent	Only fair to poor
Postbombings, July 1966--	54	46
Prebombings, June 1966--	42	58
May 1966-----	47	53
March 1966-----	49	51
January 1966-----	63	37
September 1965-----	66	34
May 1965-----	57	43
January 1965-----	41	59

The President's biggest gains have been scored in the South, where confidence in his handling of the war rose 17 percentage points following the bombings. In the East and Midwest, his Vietnam rating went up 12 and 14 points, respectively. In the West, however, the rating rose only two points—from 46 to 48 percent positive.

The trend of public opinion on bombing Hanoi and Haiphong had moved gradually toward favoring such a move over the past nine months. Before the bombings were ordered, the public was asked:

"Do you think the Administration is more right or more wrong in bombing Hanoi and Haiphong?"

#### Bombing Hanoi and Haiphong

[In percent]

	For	Against
Post bombings,		
July 1966-----	85	15
May 1966-----	50	50
February 1966-----	42	58
September 1965-----	30	70

Perhaps the most far-reaching question for the long run is one dealing with the public's expectations as a result of the bombings:

"It is argued that by bombing Hanoi and Haiphong we can slow down North Viet-



namese reinforcements to the Communists in South Vietnam and this will hasten the end of the war. Others disagree and argue that the more we bomb North Vietnam, the more their resistance will increase. Which do you think is more likely to be the case—that the bombing will hasten the end of the war or increase the will to resist among the North Vietnamese?"

*Public expectations*  
(In percent)

	Total public
Bombings will hasten war's end-----	86
Will increase will to resist-----	14

Clearly, there is a lot of hope intermingled with calculated risk in this last response of the public. Mr. Johnson has now given the American people a concrete military step which they firmly believe will work to end the Vietnam war.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CHILD NUTRITION BILL CONTINUES SCHOOL MILK PROGRAM IN TRIED AND TRUE TRADITION

Mr. PROXMIRE. Mr. President, on the desk of every Senator this morning is a copy of the hearings and the report on the child nutrition bill. Today or tomorrow, the Senate should consider S. 3467, which amends the National School Lunch Act by expanding and strengthening the school lunch and special milk programs, as well as setting up a breakfast program.

I am happy to say that section 13 of the bill accomplishes pretty nearly every aim I had in mind when I introduced my bill to make the school milk program permanent. Although the bill extends the program for only 4 more years, it makes it clear that the program is to be continued in its present form rather than as a program primarily for the needy. It also authorizes up to \$120 million for the program in fiscal 1969 and 1970. This should be good news, indeed, to Senators, 67 of whom cosponsored my school milk bill, and dozens of whom spoke out on the floor of the Senate or in committee in support of the program.

To quote from the committee report on S. 3467, the bill:

Requires the Secretary to administer the program in the same manner as in the past. This last change was considered necessary to make clear the intention of Congress that the course of the program is not to be changed. The language of the existing law provides the Secretary with very broad authority as to the manner in which the program is to be conducted. He might administer it in the same general manner as in the past; or he could place much greater emphasis on assistance to schools in low-income areas, schools without school lunch programs, or otherwise change the course of the program. The change described in item (3) above would require the Secretary to admin-

ister the program insofar as practicable in the same manner as in the past.

This language makes it crystal clear that the school milk program as we now know it is to continue. It indicates beyond a shadow of a doubt that plans to provide milk only to the needy and those in schools without a lunch program have been disapproved. I want to congratulate and thank the members of the Committee on Agriculture and Forestry for presenting such an unequivocal report on the bill. Chairman ELLENDER as well as the other committee members deserve the deep gratitude of the Nation's school-children and dairy farmers for the hard work put in on this all-important program.

#### THE SITUATION OF PHARMACEUTICAL COMPANIES OPERATING IN ARGENTINA

Mr. DIRKSEN. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD an article which appeared in the Buenos Aires publication Economic Survey on May 24, 1966. This article pertains to a serious situation in Argentina affecting all pharmaceutical companies operating in that country. One year ago I rose on the floor of this body to protest the action of the Government of Argentina. Since that date the various companies operating in Argentina have complied with the decree of the Ministry of Health. However, no relief has yet been granted to the industry.

I am hopeful that my remarks might indicate to the new Argentine Government and to the Minister of Health the concern here in the United States about the severe restrictions being placed on this industry. I am hopeful that the Minister of Health under the new Argentine Government will relax the restrictions under which the Argentine pharmaceutical industry is now laboring. Not only are the people in Argentina who work in the pharmaceutical industry affected, by the inaction of the Minister of Health, but the employees in the pharmaceutical industry in the United States are also affected.

Many of the companies in the United States export raw materials to their Argentine plants. If these American firms were to be freed from the current restrictions it would be helpful to the industry in both countries and to the families dependent upon the industry for their livelihood. I look forward to hearing some good news from Argentina that these restrictions have been removed and that the industry is again growing with the rest of the economy of our fine neighbor to the south.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Economic Survey, Buenos Aires, Argentina, May 24, 1966]

#### THIRTY MONTHS OF PRICE CONTROL AND NO BRIGHT OUTLOOK

The arbitrary freeing of prices on medicinal products established by the Ministry of Health and Welfare in 1963, continues rigidly after 30 months during which production costs have increased steadily.

This has created a very serious situation in many firms, particularly the smallest ones. The Ministry promised to process speedily the applications for readjustment of prices in relation to the cost of production of specific items. But in fact the procedure is being carried out in a slow, cumbersome and arbitrary manner. The job is done manually, and it is entrusted to 10 or 12 hired men, instead of using electronic equipment which the Health Minister has repeatedly promised to employ. A simple application from a small firm takes about 2 months to process. Applications for large and complex enterprises, manufacturing a series of finished products or raw materials for their own use takes an extraordinary length of time; an application from an American laboratory took over 6 months. On the other hand, the Ministry, after promising equal and fair treatment for all, sets prices indiscriminately and absurdly in a way that has no relation to the actual cost of production.

Among the very few price adjustments granted in the past 30 months of price control, we do not know of any allowing for an increase over 20%. We know of two large domestic laboratories, operated with Argentine capital, on which the Ministry wants to impose prices even lower than the frozen ones. Another enterprise, manufacturing a medicament whose actual cost of production is easy to verify, was granted a 5% increase while the actual cost of manufacturing this product has gone up at least 15%.

#### PROJECT HOPE—THE BEST WAY TO WIN FRIENDS

Mr. MANSFIELD. Mr. President, on behalf of the distinguished junior Senator from Tennessee [Mr. BASS] I ask unanimous consent that a statement prepared by him on the subject of Project HOPE, and an article printed in the Knoxville News Sentinel in connection therewith be printed in the RECORD.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR BASS

#### PROJECT HOPE—THE BEST WAY TO WIN FRIENDS

Project HOPE (Health Opportunity for People Everywhere), organized by the People-to-People Health Foundation, Inc., is doing an outstanding job as America's floating Ambassador. In 1960, the U.S.S. *Consolation*, a 15,000 ton Navy Hospital ship, was refitted and loaned to the Foundation to enable them to carry out their project of teaching medical, dental and paramedical personnel in developing countries the latest techniques of U.S. medical science. The *Consolation* was aptly renamed S.S. *Hope*.

In five years HOPE doctors, nurses and technicians have trained more than 3,000 medical personnel treated over 100,000 persons, conducted some 8,000 major operations, vaccinated one million people for polio, typhoid, tetanus and diphtheria, and distributed nearly two million cartons of milk.

This outstanding record has been compiled by volunteers who have interrupted their medical careers to lend a helping hand to the people on three continents.

The Knoxville News Sentinel recently described the experience of a Knoxville surgeon who served on board the U.S.S. *Hope* in Nicaragua. Dr. David H. Waterman, a chest surgeon, described his experience as the "best way to cement friendship." I want to commend Dr. Waterman for his dedication and enthusiasm in this very worthy project.

Calendar No. 1325

89TH CONGRESS  
2D SESSION

# S. 3467

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IN THE SENATE OF THE UNITED STATES

JULY 11, 1966

Ordered to lie on the table and to be printed

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## AMENDMENTS

Intended to be proposed by Mr. RIBICOFF (for himself, Mr. BREWSTER, Mr. BURDICK, Mr. CASE, Mr. CHURCH, Mr. CLARK, Mr. HART, Mr. HARTKE, Mr. INOUE, Mr. JACKSON, Mr. KENNEDY of Massachusetts, Mr. LONG of Missouri, Mr. McGOVERN, Mr. MOSS, Mr. NELSON, Mrs. NEUBERGER, Mr. PELL, and Mr. RANDOLPH) to S. 3467, a bill to strengthen the National School Lunch Act, as amended, to strengthen and expand food service programs for children, viz:

1       On page 11, between lines 13 and 14, insert the follow-  
2   ing:

3       “TITLE I—NATIONAL SCHOOL LUNCH ACT  
4                                   AMENDMENTS”

5       On page 22, after line 12, add the following:

**Amdt. No. 637**



1 "TITLE II—SPECIAL SUMMER LUNCH PROGRAM  
2 FOR CHILDREN

3 "SEC. 201. This title may be cited as the 'Special Sum-  
4 mer Lunch Program for Children Act'.

5 "DECLARATION OF PURPOSE

6 "SEC. 202. It is hereby declared to be the purpose of  
7 this title to further safeguard the health and well-being of the  
8 Nation's children and to encourage the domestic consumption  
9 of nutritious agricultural commodities and other food, by  
10 establishing a special summer lunch program for children to  
11 complement the regular school lunch program carried out  
12 under the National School Lunch Act.

13 "APPROPRIATIONS AUTHORIZED

14 "SEC. 203. For each fiscal year there is hereby author-  
15 ized to be appropriated, out of any money in the Treasury  
16 not otherwise appropriated, such sums as may be necessary  
17 to enable the Secretary of Agriculture (hereinafter referred  
18 to as the 'Secretary') to carry out the provisions of this title.

19 "SPECIAL SUMMER LUNCH PROGRAM FOR CHILDREN

20 "SEC. 204. The Secretary shall formulate and carry out  
21 a special summer lunch program for children as provided in  
22 this title under which lunches shall be made available for  
23 children between the ages of three and eighteen, inclusive,  
24 attending public recreation centers, public or private non-



1 profit day camps, public or private nonprofit neighborhood  
2 child centers, public or private nonprofit summer camps, or  
3 any similar public or private nonprofit activity organized to  
4 promote the health or recreation of children, including a  
5 community action program organized for such a purpose and  
6 approved under title II of the Economic Opportunity Act of  
7 1964 (all of the foregoing hereinafter referred to as 'sum-  
8 mer youth centers'). The sums appropriated for any fiscal  
9 year for carrying out such program, excluding the sum  
10 specified in section 205, shall be available to the Secretary  
11 for supplying agricultural commodities and other foods for  
12 the program in accordance with the provisions of this title.  
13 The Secretary shall apportion among the States during each  
14 fiscal year not less than 75 per centum of the funds made  
15 available for such year for supplying agricultural commodi-  
16 ties and other foods under the provisions of section 203 of  
17 this title. The Secretary shall apportion funds among the  
18 States on the same basis, insofar as practicable, as funds are  
19 apportioned under section 4 of the National School Lunch  
20 Act to carry out the national school lunch program. The  
21 program authorized under this title shall be carried out in a  
22 State only during the summer vacation period when the  
23 elementary and high schools of such State are normally  
24 closed or open only on a limited summer schedule.

## 1 "NONFOOD ASSISTANCE

2 "SEC. 205. Of the sums appropriated for any fiscal year  
3 to carry out the special summer lunch program for children  
4 authorized by this title, \$8,000,000 shall be available to the  
5 Secretary for the purpose of providing during such fiscal  
6 year, nonfood assistance for such special program pursuant  
7 to the provisions of this title. The Secretary shall apportion  
8 among the States during each fiscal year the aforesaid sum  
9 of \$8,000,000, and such apportionment among the States  
10 shall be on the same basis as the apportionment of funds for  
11 agricultural commodities and other foods is made under sec-  
12 tion 204 of this title. 21

## 13 "DIRECT FEDERAL EXPENDITURES 22

14 "SEC. 206. The funds appropriated for any fiscal year  
15 for carrying out the provisions of this title, less not to exceed  
16  $3\frac{1}{2}$  per centum thereof hereby made available to the Secre-  
17 tary for his administrative expenses, and less the amount  
18 apportioned by him pursuant to sections 204, 205, and 210,  
19 shall be available to the Secretary during such year for direct  
20 expenditure by him for agricultural commodities and other  
21 foods to be distributed among the States and summer youth  
22 centers participating in the special program under this title  
23 in accordance with the needs as determined by the appro-  
24 priate local authorities. The provisions of law contained in  
25 the proviso of the Act of June 28, 1937 (50 Stat. 323).

1 facilitating operations with respect to the purchase and dis-  
2 position of surplus agricultural commodities under section 32  
3 of the Act approved August 24, 1935 (49 Stat. 774), as  
4 amended, shall, to the extent not inconsistent with the pro-  
5 visions of this title, also be applicable to expenditures of  
6 funds by the Secretary under this title.

7 "PAYMENTS TO STATES

8 "SEC. 207. Funds apportioned to any State pursuant to  
9 section 204 or 205 of this title during any fiscal year shall be  
10 available for payment to such State for disbursement by the  
11 appropriate State agency, in accordance with such agree-  
12 ments not inconsistent with the provisions of this title, as may  
13 be entered into by the Secretary and such State agency, for  
14 the purpose of assisting summer youth centers of that State  
15 during such fiscal year, in supplying (1) agricultural com-  
16 modities and other foods for consumption by children between  
17 the ages of six and sixteen, inclusive, and (2) nonfood  
18 assistance in furtherance of the special summer lunch pro-  
19 gram for children authorized under this title. Such payments  
20 to any State in any fiscal year shall be made upon the condi-  
21 tion that an amount equal to not less than 10 per centum of  
22 such payments will be matched during such year from sources  
23 within the State determined by the Secretary to have been  
24 expended in connection with the special summer lunch pro-



1 gram for children carried out under this title. For the pur-  
2 pose of determining whether the matching requirements of  
3 this section and section 210, respectively, have been met, the  
4 reasonable value of donated services, supplies, facilities, and  
5 equipment as certified, respectively, by the appropriate State  
6 agency and in case of summer youth centers receiving funds  
7 pursuant to section 210, by such summer youth centers (but  
8 not the cost or value of land, of the acquisition, construction,  
9 or alteration of buildings or commodities donated by the  
10 Secretary, or of Federal contributions, or the cost or value of  
11 any facility paid for in whole or part with funds counted as  
12 matching funds under the National School Lunch Act), may  
13 be regarded as funds from sources within the State expended  
14 in connection with the special summer lunch program. The  
15 Secretary shall certify to the Secretary of the Treasury from  
16 time to time the amounts to be paid to any State under this  
17 section and the time or times such amounts are to be paid;  
18 and the Secretary of the Treasury shall pay to the State at  
19 the time or times fixed by the Secretary the amounts so  
20 certified.

21 “STATE DISBURSEMENT TO SUMMER YOUTH CENTERS

22 “SEC. 208. Funds paid to any State during any fiscal  
23 year pursuant to section 204 or 205 of this title shall be dis-  
24 bursed by the appropriate State agency, in accordance with  
25 such agreements approved by the Secretary as may be

1 entered into by such State agency and the summer youth  
2 centers in the State, to those summer youth centers in the  
3 State which the State agency, taking into account need and  
4 attendance, determines are eligible to participate in the  
5 special summer lunch program for children authorized by  
6 this title. Such disbursement to any summer youth center  
7 shall be made only for the purpose of reimbursing it for the  
8 cost of obtaining agricultural commodities and other foods  
9 for consumption by children in the special summer lunch  
10 program for children and nonfood assistance in connection  
11 with such program. Such food costs may include, in addi-  
12 tion to the purchase price of agricultural commodities and  
13 other foods, the cost of processing, distributing, transporting,  
14 storing, or handling thereof. In no event shall such disburse-  
15 ment for food to any summer youth center for any fiscal year  
16 exceed an amount determined by multiplying the number of  
17 lunches served in the summer youth center under the special  
18 summer lunch program for children during such year by the  
19 maximum Federal food-cost contribution rate for the State,  
20 for the type of lunch served, as prescribed by the Secretary.

21 "NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

22 "SEC. 209. Lunches served by summer youth centers  
23 under this title shall meet minimum nutritional requirements  
24 prescribed by the Secretary on the basis of tested nutritional  
25 research. Such meals shall be served without cost or at a

1 reduced cost to children who are determined by local author-  
2 ities to be unable to pay the full cost of the lunch. No  
3 physical segregation of or other discrimination against any  
4 child shall be made by the summer youth center because  
5 of his inability to pay. Lunch programs under this title  
6 shall be operated on a nonprofit basis. Each summer youth  
7 center shall, insofar as practicable, utilize in its lunch pro-  
8 gram commodities designated from time to time by the  
9 Secretary as being in abundance, either nationally or in  
10 the summer youth center area, or commodities donated by  
11 the Secretary. Commodities purchased under the authority  
12 of section 32 of the Act of August 24, 1935 (49 Stat. 774),  
13 as amended, may be donated by the Secretary to summer  
14 youth centers, in accordance with the needs as determined  
15 by local authorities, for utilization in the special summer  
16 lunch program under this title.

17 "NONPROFIT PRIVATE SUMMER YOUTH CENTERS

18 "SEC. 210. If, in any State, the appropriate State agency  
19 is not permitted by law to disburse the funds paid to it  
20 under this title to nonprofit private summer youth centers  
21 in the State, or is not permitted by law to match Federal  
22 funds made available for use by such nonprofit private sum-  
23 mer youth center, the Secretary shall withhold from the  
24 funds apportioned to any such State under sections 204 and  
25 205 of this title an amount which would otherwise be made



1 available, as determined by the Secretary, to such State  
2 on account of such nonprofit private summer youth centers  
3 in the State. The Secretary shall disburse the funds so  
4 withheld directly to the nonprofit private summer youth  
5 centers within such State for the same purposes and subject  
6 to the same conditions as are authorized or required with  
7 respect to the disbursements to other summer youth centers  
8 within the State by the appropriate State agency, including  
9 the requirement that any such payment or payments shall  
10 be matched, in the proportion specified in section 207 for  
11 such State, by funds from sources within the State expended  
12 by nonprofit private summer youth centers within the State  
13 participating in the special summer lunch program for chil-  
14 dren under this title. Such funds shall not be considered a  
15 part of the funds constituting the matching funds under the  
16 terms of section 207.

17 "MISCELLANEOUS PROVISIONS AND DEFINITIONS

18 "SEC. 211. (a) States, the appropriate State agencies,  
19 and summer youth centers participating in the special sum-  
20 mer lunch program for children under this title shall keep  
21 such accounts and records as may be necessary to enable the  
22 Secretary to determine whether the provisions of this title  
23 are being complied with. Such accounts and records shall  
24 at all times be available for inspection and audit by repre-  
25 sentatives of the Secretary and shall be preserved for such

1 period of time, not in excess of five years, as the Secretary  
2 determines necessary.

3 “(b) The Secretary shall encourage, and in cases in  
4 which he determines appropriate, require as a condition of  
5 eligibility to participate, the use of existing facilities utilized  
6 for serving lunches under the national school lunch program.

7 “(c) The Secretary may, during the first fiscal year in  
8 which a program is in effect under this title, make such  
9 adjustments as he deems appropriate in order to provide for  
10 the effective and equitable administration of this title.

11 “(d) The Secretary shall incorporate in his agreements  
12 with the appropriate State agencies the express requirements  
13 prescribed in this title with respect to the operation of the  
14 special summer lunch program for children insofar as they  
15 may be applicable and such other provisions as in his opinion  
16 are reasonably necessary or appropriate to effectuate the  
17 purposes of this title.

18 “(e) For purposes of this title—

19 “(1) The term ‘State’ means any of the fifty States,  
20 the District of Columbia, the Commonwealth of Puerto Rico,  
21 the Virgin Islands, Guam, or American Samoa.

22 “(2) The term ‘appropriate State agency’ means the  
23 agency or body of the State designated by the State legis-  
24 lature to administer in the State the special summer school  
25 program authorized by this title.

1       “(3) The term ‘private nonprofit’ as applied to any of  
2 the summer child centers described in section 204 of this title  
3 means a summer child center operated by a private school  
4 or organization exempt from income taxes under section  
5 501 (c) (3) of the Internal Revenue Code of 1954.

6       “(4) The term ‘nonfood assistance’ means equipment  
7 used by summer youth centers in storing, preparing, or  
8 serving food for children under this title.”

Amend the title so as to read: “A bill to amend the  
National School Lunch Act, as amended, to strengthen and  
expand food service programs for children, and to provide  
for a special summer lunch program for children.”



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## AMENDMENTS

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Intended to be proposed by Mr. RIBICOFF (for himself, Mr. Brewster, Mr. Burdick, Mr. Case, Mr. Church, Mr. Clark, Mr. Hart, Mr. Haytke, Mr. Inouye, Mr. Jackson, Mr. Kennedy of Massachusetts, Mr. Long of Missouri, Mr. McGovern, Mr. Moss, Mr. Nelson, Mrs. Neuberger, Mr. Pell, and Mr. Randolph) to S. 3467, a bill to strengthen the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

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JULY 11, 1966

Ordered to lie on the table and to be printed

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§. 3467

# AMENDMENTS

Amended by the  
 Senate and House of  
 Representatives of the  
 State of New York  
 in the year 1907



# *DIGEST of Congressional Proceedings*

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
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OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
(NOT TO BE QUOTED OR CITED)

Issued July 13, 1966  
For actions of July 12, 1966  
89th-2nd; No. 110

### CONTENTS

Agricultural appropriations.....1	Intergovernmental relations.....23	Recreation.....10,26
Air pollution.....3,19	Labeling.....22,36	Research.....15,21
Appropriations.....1	Lands.....18,37	Roads.....6
Child nutrition.....4	Livestock.....13	School lunch.....4
Commodity programs.....32	Loans.....32	Screw-worm.....15
Demonstration cities....25	Moving expenses.....11	Social security.....38
Economy.....9	Nonfat dry milk.....39	Special milk.....1
Education.....12,35	Parity prices.....14	Station transfers.....11
Farmers.....29	Pay.....16	Truth-in-packaging...22,36
Fish proteins.....34	Personnel.....16,28,38	Water pollution.....5,19
Food irradiation.....21	Pesticides.....33	Water for peace.....8
Food programs.....4	Poverty.....24	Water resources.....2
Foreign aid.....7,17,31	Processors' loans.....32	Watersheds.....30
Historic sites.....10	Reclamation.....20	Wheat.....31
		World hunger.....27

HIGHLIGHTS: Senate committee reported agricultural appropriation bill. Senate passed child nutrition bill. House debated foreign aid authorization bill. House agreed to Senate amendments to screw-worm eradication bill. House agreed to Senate amendments to pay bill.

### SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1967. The Appropriations Committee reported with amendments this bill, H. R. 14596 (S. Rept. 1370) (p. 14512). Attached to this Digest is the committee report, which includes a statement of committee actions. Sen. Proxmire expressed disappointment in the appropriation for the special milk program and stated that he is contemplating asking for an amendment to provide \$110 million for this program (p. 14541).

2. WATER RESOURCES. Passed as reported S. 3034, to authorize feasibility studies of certain potential Federal reclamation projects in 17 Western States. pp. 14561-70
3. AIR POLLUTION. Passed as reported, 80-0, S. 3112, the proposed Clean Air Act Amendments of 1966. Sen. Muskie stated that "The primary purposes of the bill are to consolidate appropriation authorizations in the Clean Air Act and to authorize funds to continue the program through 1969." pp. 14570-84
4. CHILD NUTRITION. Passed as reported, 76-0, S. 3467, the child nutrition bill. Rejected, 37-42, an amendment by Sen. Ribicoff to establish a special summer lunch program (pp. 14584-6, 14589-609). The bill, with the committee amendment, would amend the National School Lunch Act by adding provisions for:
  - "(1) A special milk program for fiscal years 1967, 1968, 1969, and 1970...
  - "(2) A pilot breakfast program for fiscal years 1967 and 1968 in schools drawing attendance from poor economic areas and in schools to which the children must travel long distances...
  - "(3) A permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist...; and
  - "(4) General administration..., including provision for--
    - (A) appropriation of funds to assist State educational agencies, when necessary, in administering additional activities...;
    - (B) authorizing the Secretary to extend school feeding programs under the act to include preschool programs operated as part of the school system; and
    - (C) centralization in the Department of Agriculture of the administration of Federal programs to assist school feeding programs."
5. WATER POLLUTION. Began debate on S. 2947, to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such Act. pp. 14610-14
6. ROADS. A subcommittee of the Public Works Committee approved for full committee consideration with amendments S. 3155, the proposed Federal-Aid Highway Act of 1966. p. D610
7. FOREIGN AID. Sen. Javits discussed and submitted an amendment to S. 3584, the foreign aid authorization bill, which "would propose an across-the-board, 2-year authorization for the economic aid portion of the foreign aid bill." pp. 14527-8
8. WATER FOR PEACE. Sen. Moss commended the provisions of S. J. Res. 167, to organize and hold an International Conference on Water for Peace and asked that his name be added as a cosponsor. pp. 14529-30
9. ECONOMY. Sen. Proxmire spoke in opposition to any tax increase at this time. p. 14530
  - Sen. Proxmire criticized the "spiraling" interest rates and inserted excerpts from the Wall Street Journal on the subject. pp. 14534-7



categories; an adverse level at which the pollutant is irritating to the nose and eyes of an individual and can damage plant life and property; a serious level, where exposure to the pollutant is likely to lead to chronic disease and a change in the functions of an individual who is sensitive to pollution although it may not affect a strong healthy person, and an emergency level, where a pollutant will lead to acute sickness or death in a sensitive group of persons.

California then goes on to state that 1 part per million of sulphur dioxide for 1 hour or 0.3 part per million for 8 hours is an adverse level. Five parts per million of sulphur dioxide for 1 hour is considered a serious level. And 10 parts per million is considered an emergency level.

When we compare California's standard for sulfur dioxide with average conditions in New York City during January 1965, we find that the adverse level was exceeded on more than half of the days of that month. The adverse level was exceeded for a 24-hour period on 17 days of the month.

The adverse level of sulfur dioxide has also been exceeded in a number of other cities. In February 1963, the average level of sulfur dioxide in Washington, D.C., exceeded the adverse level as defined by California. Yet no public warning was given because Washington, D.C., does not yet have a standard for pollution.

Similarly, in February 1965, Chicago registered an average sulfur dioxide level of 0.27 for the month, a level of 0.55 for a 24-hour period, and a level of 1.14 for an hour. And Cleveland experienced 2 hours in January and February 1965 when the sulfur dioxide level reached 0.54 and 0.55, respectively.

In view of the expected growth in electrical power generation, there is no question that many of our cities will have sulfur dioxide concentrations in excess of the adverse level as established by California. This level is already being exceeded in a number of cities. We have only touched on the regulations and practices that must be established if the sulfur dioxide content of our air is to be lowered.

California has also established standards for carbon monoxide. No adverse level has been set. A total of 30 parts per million for 8 hours or 120 parts per million for 1 hour is considered a serious level. And the emergency level is considered to be somewhere between 120 and 240 parts per million.

New York City also considers 30 parts per million of carbon monoxide for a 24-hour period to be dangerous. Yet New Yorkers and commuters from surrounding communities have been exposed to carbon monoxide concentrations ranging from 100 to 200 parts per million.

During the recent transit strike in New York City, carbon monoxide measurements were taken in the Lincoln, Battery, and Holland Tunnels. The average concentrations taken from the entrance to the exit of these tunnels were 44, 54, and 34 parts per million, respectively. And

at a number of spots in these tunnels, levels of 100 to 200 parts per million were recorded.

Although many pollution experts discount carbon monoxide levels near major highways, these levels are of significance to those who drive continually in heavy traffic or have jobs that constantly expose them to carbon monoxide. It is no wonder that several blood samples taken from taxicab drivers in one of our cities showed a carbon monoxide level between 8 and 20 percent, considered enough by the Public Health Service to affect their driving.

Unfortunately, this picture of tentative pollution-safety levels set by some States and communities with little agreement between them is repeated for other pollutants. The result has been one of confusion and discouragement for those who have attempted to clean up our air.

We can make more progress in our efforts to control air pollution if we establish a Federal safety code for the major pollutants. This code, establishing an adverse and a serious level for each of the significant pollutants, could be used as a guideline by communities concerned with this problem. This code should set a level for a pollutant that will protect all members of the community, the very young and the old and those most sensitive to the effects of this pollutant as well as those more able to withstand the effects of pollution. For these groups suffer most when pollution levels rise. There is no doubt in the minds of our doctors that pollution takes a toll of these groups—a toll that is reflected in the death records of most major cities.

In looking toward future legislation, I believe that major emphasis must be given to air pollution research and development. For this is an area where a major investment will pay dividends.

We need to experiment with new processes for removing sulfur from coal and fuel oil. In much the same way that we have built experimental desalinization plants, we should build sulfur extractors. It should be possible to develop an economic way of doing this.

We also need a major investment in power transmission technology so that we can carry electric power from powerplants located near our coal mines to our cities. Significant decreases in the cost of this form of power transmission can make it possible to build our new powerplants away from the cities.

And we also must continue our development of economical nuclear power to provide pollution-free power generators in our cities.

We also need to explore ways to eliminate pollution from automobile engines. A method of reducing the amount of nitric oxide in engine exhausts is essential and ways of further reducing the carbon monoxide and hydrocarbon exhausts are needed. The Public Health Service should establish a broad development program to reduce pollution from the gasoline engine.

We also need to explore the possibili-

ties of electric cars. Recent advances made with electrical batteries in space craft and submarines are providing us with the technology for battery driven cars. The British are already moving forward on plans to develop an effective electric car which will aid materially in reducing air pollution. Mr. A. N. Irens of the British Electricity Council has suggested that Britain may have over a million electric cars within the next 10 years. He stated that, "the era of the battery-driven car need not be far away. Given enterprise, courage, and swift action, the battery-driven car will be the town car of the future."

The battery-driven car can be a practical vehicle for suburban and city driving. Although it will not provide the same acceleration or high speeds that present cars have, it will provide any power required for local streets and roads.

An effective air pollution control program also requires coordination with other major Federal programs. Our national fuel policies, affecting the availability of better grade fuel oil, the development of natural gas, and the utilization of coal, need to be related to our air pollution problems. Our transportation programs, aimed at reducing the number of cars on our highways and the stop and go driving in our cities, also bear a direct relation to our air pollution problem.

I do not think that the Department of Health, Education, and Welfare now has the authority to effect this coordination. Perhaps what we need is a Federal Council on Air Pollution with the Department of Health, Education, and Welfare acting as the lead agency to handle these problems.

I have mentioned these air pollution problems and suggested some approaches not so much as a comment on this bill as a comment on the nature of the problem and the direction in which we must move. And although there may be differences of opinion about what we must do, there can be no disagreement on the need to solve this problem.

In discussing another health problem, cigarette smoking, it was pointed out that the individual had a choice as to whether he would smoke. There was no choice, however, for the 360 people in New York City who died in 1963 in one incident because of an increase in the pollution of the air. And there is no choice for the millions who will have their lives shortened because our air is contaminated. It is our responsibility to reduce the level of pollution to a point where no individual's health is threatened.

**THE PRESIDING OFFICER.** If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

**THE PRESIDING OFFICER.** (Mr. McIntyre in the chair.) Pursuant to the unanimous-consent agreement here-



before entered into, the yeas and nays have been ordered. The clerk will call the roll on final passage.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from New York [Mr. KENNEDY], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Wyoming [Mr. McGEE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. McGEE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN], the Senator from Michigan [Mr. GRIFFIN], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

If present and voting, the Senator from Illinois [Mr. DIRKSEN], the Senator from Michigan [Mr. GRIFFIN], the Senator from Pennsylvania [Mr. SCOTT] and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

The result was announced—yeas 80 nays 0, as follows:

[No. 132 Leg.]

YEAS—80

Alken	Hart	Morton
Allott	Hartke	Moss
Bartlett	Hickenlooper	Mundt
Bayh	Hill	Murphy
Bennett	Holland	Muskie
Bible	Hruska	Nelson
Boggs	Inouye	Neuberger
Brewster	Jackson	Pearson
Burdick	Javits	Prout
Byrd, W. Va.	Jordan, N.C.	Proxmire
Cannon	Jordan, Idaho	Randolph
Carlson	Kennedy, Mass.	Ribicoff
Case	Kuchel	Russell, S.C.
Church	Lausche	Russell, Ga.
Cooper	Long, Mo.	Saltonstall
Cotton	Long, La.	Smith
Curtis	Magnuson	Sparkman
Domnick	Mansfield	Stennis
Douglas	McCarthy	Talmadge
Eastland	McGovern	Thurmond
Ellender	McIntyre	Tower
Ervin	Metcalf	Tydings
Fannin	Miller	Williams, Del.
Fong	Mondale	Yarborough
Fulbright	Monroney	Young, N. Dak.
Gore	Montoya	Young, Ohio
Harris	Morse	

NAYS—0

NOT VOTING—20

Anderson	Gruening	Robertson
Bass	Hayden	Scott
Byrd, Va.	Kennedy, N.Y.	Simpson
Clark	McClellan	Smathers
Dirksen	McGee	Symington
Dodd	Pastore	Williams, N.J.
Griffin	Pell	

So the bill (S. 3112) was passed.

Mr. MUSKIE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. RANDOLPH. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the amendments to the Clean Air Act just endorsed by the Senate marks another triumph for the distinguished junior Senator from Maine [Mr. MUSKIE] whose strong record in this field is already clearly established. His able handling of the proposal was in large measure responsible for its unanimous approval by the Senate. We are indeed grateful for Senator MUSKIE's vigorous advocacy on this measure and for the capable manner in which he directed its passage.

But the Senator from Maine is not alone in deserving praise for today's success. The junior Senator from Delaware [Mr. Boggs], and the senior Senator from Kentucky [Mr. COOPER] are also to be highly commended for their cooperative leadership, so essential to a victory of this magnitude.

We also thank the chairman of the Public Works Committee, the distinguished Senator from West Virginia [Mr. RANDOLPH] for his strong and articulate support as well as for the capable assistance of the Senators from Kansas [Mr. CARLSON] and Connecticut [Mr. RIBICOFF].

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 14122. An act to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; and

H.R. 14888. An act to amend the act of February 28, 1947, as amended, to authorize the Secretary of Agriculture to cooperate in screw-worm eradication in Mexico.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2950) to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

#### ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 13651) to avoid unnecessary litigation by providing for

the collection of claims of the United States, and for other purposes, and it was signed by the Acting President pro tempore.

#### AMENDMENT OF THE NATIONAL SCHOOL LUNCH ACT TO STRENGTHEN AND EXPAND FOOD SERVICE PROGRAMS FOR CHILDREN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 1325, S. 3467.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That the National School Lunch Act, as amended, is amended—

(A) By inserting in section 3 before the period at the end thereof the following phrase: "and other than sections 13 through 15 and section 17".

(B) By inserting in section 6 after the word "Act" where it first occurs the following: "(other than section 13 through 15 and section 17)".

(C) By adding at the end of subsection (d) of section 12, the following new paragraph:

"(8) 'Nonprofit institution' means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual."

(D) By adding at the end of the Act the following new sections:

#### "SPECIAL MILK PROGRAM

##### "AUTHORIZATION

"SEC. 13. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) non-profit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section 'United States' means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478 as amended, during the fiscal year ended June 30, 1966.

#### "SCHOOL BREAKFAST PROGRAM

##### "AUTHORIZATION

"SEC. 14. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and



for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools drawing attendance from areas in which poor economic conditions exist and in schools to which a substantial proportion of the children enrolled must travel long distances.

#### "APPORTIONMENT TO STATES

"(b) Of the funds appropriated for the purposes of this section for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, the Virgin Islands, Puerto Rico, and American Samoa. Such funds shall be apportioned among such States on the basis of the ratio of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.

"(c) Of the remainder of the funds appropriated, the Secretary shall for each fiscal year, (1) apportion the first \$2,500,000 equally among the States, other than Guam, the Virgin Islands, Puerto Rico, and American Samoa, and (2) apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than \$2,000 per annum plus the number of children of ages five through seventeen in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children to the total number of such children in the fifty States and the District of Columbia.

#### "STATE DISBURSEMENT TO SCHOOLS

"(d) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (e). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances.

"(e) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

#### "NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

"(f) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable,

consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### "NONPROFIT PRIVATE SCHOOLS

"(g) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under subsections (b) and (c) of this section an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children enrolled in all schools within the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### "NONFOOD ASSISTANCE PROGRAM

##### "AUTHORIZATION

"SEC. 15. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and for each fiscal year thereafter such sums as may be necessary to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs.

#### "APPORTIONMENTS TO STATES

"(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of this Act for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that one-fourth of the cost of any facilities financed under this subsection shall be borne by State or local funds.

#### "STATE DISBURSEMENT TO SCHOOLS

"(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of local tax sources to finance the food service equipment and facilities needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### "NONPROFIT PRIVATE SCHOOLS

"(d) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsection (b) an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meet-

ing the minimum requirements prescribed by the Secretary under section 9 of this Act served in the preceding fiscal year by all nonprofit private schools participating in the program under section 2 within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### "PAYMENTS TO STATES

"SEC. 16. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 13 through 17 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### "STATE ADMINISTRATIVE EXPENSES

"SEC. 17. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under sections 11, 14, and 15 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

#### "UTILIZATION OF FOODS

"SEC. 18. Each school participating under section 14 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

#### "NONPROFIT PROGRAMS

"SEC. 19. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

#### "STATISTICAL DATA

"SEC. 20. Data on numbers of children of ages five through seventeen and on per capita income shall be made available by the Secretary of Commerce to the Secretary and, except where otherwise expressly stated in this Act, shall be the latest available. Data on the numbers of children, ages five through seventeen, in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children shall be provided by that Department.

#### "REGULATIONS

"SEC. 21. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

#### "PROHIBITIONS

"SEC. 22. (a) In carrying out the provisions of sections 13 through 15 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any nonprofit institution.



"(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

#### "PRESCHOOL PROGRAMS

"SEC. 23. The Secretary may extend the benefits of school feeding programs under this Act to include preschool programs operated as part of the school system.

#### "CENTRALIZATION OF ADMINISTRATION

"SEC. 24. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act.

#### "NO CHANGE IN SCHOOL LUNCH PROGRAM

"SEC. 25. The Secretary shall administer sections 1 through 12 of this Act to the maximum extent practicable in the same manner as he administered those sections during the fiscal year ended June 30, 1966."

### AUTHORIZATION OF APPROPRIATIONS DURING FISCAL YEAR 1967 FOR PROCUREMENT OF CERTAIN EQUIPMENT FOR THE ARMED FORCES—CONFERENCE REPORT

Mr. RUSSELL of Georgia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2950) to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. RUSSELL of Georgia. Mr. President, we seek complete and final action on the bill authorizing appropriations for the procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and for research, development, test, and evaluation of weapons systems for the Armed Forces.

The bill agreed to by the conferees totals \$17,480,759,000. This is \$310,700,000 more than the version of the bill as it passed the Senate and \$377,300,000 less than the House bill. The total is \$553,800,000 more than was proposed by the Department of Defense.

I ask unanimous consent to have printed at the end of my remarks a tabulation comparing the amounts for procurement and for research and development as they were proposed by the Department of Defense, approved by the House and the Senate, and agreed to in conference.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1).

Mr. RUSSELL of Georgia. Mr. President, I shall not attempt to cover every item that was in disagreement but I shall comment on some of the more important ones.

#### PROCUREMENT

The conferees agreed to include \$12 million for additional aircraft and electronic equipment to expand airborne telecasting facilities in Vietnam, and \$25 million for the procurement of more modern aircraft to evacuate sick and injured members of the Armed Forces.

In the shipbuilding program, the Senate had deleted two conventionally powered guided missile destroyers at a cost of \$145,100,000 and added one nuclear-powered guided missile frigate at a cost of \$150 million.

The House had extended the authority granted last year for a guided missile frigate in the amount of \$130,500,000 and it had authorized a new nuclear powered guided missile frigate for \$127,800,000 in addition to continuing the two conventionally powered guided missile destroyers in the program.

Under the conference agreement the extension of the authority for last year's nuclear-powered guided missile frigate in the amount of \$130,500,000 is included and the two conventionally powered guided missile destroyers are authorized in the amount of \$145,100,000. The conferees also agreed to include in the authorization \$20 million for long leadtime items for an additional nuclear powered guided missile frigate.

The language accompanying the renewed authorization for the construction of the nuclear powered guided missile frigate that was initially authorized last year provides that the contract for the construction of this ship "shall be entered into as soon as practicable unless the President fully advises the Congress that its construction is not in the national interest."

#### RESEARCH AND DEVELOPMENT

The authorization of appropriations for research and development that has been agreed to in conference is \$128,100,000 more than the Senate bill.

Of this amount \$10.8 million is for the Army and is intended to be applied to the heavy lift helicopter program and to the advanced aerial fire support system.

The conferees agreed on an increase in the Navy R.D.T. & E. authorization of \$52.5 million. Substantial parts of this increase are intended for work on the Condor missile and the deep submergence program.

For the Air Force research and development, the conference agreement provides \$64.8 million more than the Senate bill. Fifty million dollars of this is for the manned orbiting laboratory, \$3 mil-

lion is for research in vertical and short takeoff and landing aircraft, and \$11.8 million is to be added to the \$11 million already in the bill for the advanced manned strategic aircraft that is becoming known as AMSA.

#### MILITARY PAY

Mr. President, this is a rather important provision that was agreed to in the conference: The Senate conferees agreed to provisions increasing the basic pay of members of the uniformed services by 3.2 percent beginning on July 1 of this year, or the first day of the month in which the pay increase for Federal employees is effective, whichever is later.

The annual cost of this increase is approximately \$356 million. Since the pay of civilian employees of the Government apparently is to be increased, it is important that members of our Armed Forces and other uniformed services receive comparable treatment.

#### WEAPONS SYSTEMS

The House bill had contained a provision requiring the Secretary of Defense to report to Congress all the pertinent details before eliminating or substantially reducing a major weapons system. The provision also required that the Congress through its Committees on Armed Services must advise the Secretary of Defense of its recommendation on the proposed action within 90 days. This provision has been modified. The conferees have agreed to a provision that requires notice to the Congress before the Secretary of Defense initiates a substantial reduction or elimination in a major weapons system, but omits the requirement for congressional advice before the proposed action can be accomplished.

Mr. President, I think that I have touched upon the most important items that were involved in the conference. Several items of very substantial size were identical in the bills as passed by both Houses, and therefore were not at issue before the conferees. We hope that this bill will take care of the needs of the services and of our men in uniform, who in considerable numbers are risking their lives daily in Vietnam on the orders of their Commander in Chief, the President of the United States, and with the approval of Congress. We may have to face similar conflicts elsewhere, or even more farflung operations in some other quarter of the globe.

Congress, Mr. President, has not been derelict in undertaking to provide for the men in the armed services. We have, each year for the last several years, appropriated or authorized more funds than the Department of Defense requested or expended. I think it is very unfair if Congress has in any degree been blamed for shortages and for breakdowns in the system of distribution, when we have provided every dollar that has been requested of us for the armed services by the executive branch of the Government.

Mr. President, I shall be glad to try to answer any questions about the action of the conferees. If there are no questions, I urge approval of the conference report.



is notable that several months ago McDonald asked permission to get one mothballed 8-inch cruiser into full active duty in the Pacific and to bring another to 30-day readiness in the Reserves. The request was turned down for budgetary reasons, and McDonald did not pursue it.

#### WANTED: A BATTLESHIP!

Others have seized on the idea with greater vigor. Colonel Heintz, now retired from the Marine Corps, is one of the country's leading authorities on the use of naval firepower. He was formerly director of the Gunfire School at Quantico. His article last September in the Naval Institute Proceedings sparked a major discussion within the profession.

"The question of reactivating a battleship," he wrote, "ought to be carefully considered. We are now regularly conducting shore bombardment in Viet Nam, using 5-inch and 6-inch guns. Think how much greater return we could realize from the virtually doubled range inland and enormously multiplied hitting power of 16-inch projectiles, and how much more economical such gun strikes would be than air attacks against the same targets."

The same arguments were advanced early this year by Admiral John S. McCain, Jr., vice-chairman of the U.S. delegation on the UN's military staff committee. He recommended flatly that the Missouri be taken out of her mothballs at Bremerton, Wash., and restored to active service at the earliest possible moment.

A few weeks after McCain's proposal, the civilian magazine "Navy" in February carried a major article, "Bring Back the Big Guns." In its June issue, the magazine returns to the theme with a piece by Dr. Howard D. Greyber, a British professor of mathematics who writes with bell-like authority.

#### JOB FOR "MIGHTY MO"

These combined arguments make sense. The Missouri's big guns can deliver the same conventional explosives in three hours that otherwise would require 500 fighter-bombers. This punch can be delivered with high accuracy, at relatively low cost, and at almost no risk of a serviceman's life. At the time the Missouri was decommissioned her guns could loft a 2,300-pound projectile for 21 statute miles. Today, says Dr. Greyber, new propellants make it possible to shoot a 2,000-pound projectile up to 44 miles, or a 1,700-pound shell up to 50 miles. The peculiar geography of South Viet Nam makes it possible for only six turrets to cover 85 per cent of the critical area.

Aerial bombing carries political and psychological connotations that naval bombardment, for some reason, does not. Certainly planes are required for targets beyond the potential reach of the "Mighty Mo," and no man in his right mind would suggest that other naval advances be abandoned. The building of a new nuclear fleet is more important than a return to techniques that began with Drake against the Spanish Armada.

Yet in congressional hearings two months ago, Admiral McDonald testified that "every day of the year, General Westmoreland asks for naval gunfire support." The Navy now is sending destroyers to do a battleship's job. If we had the big guns off shore, Lyndon Johnson might get his added pressure, for only 16 inches of escalation.

Mr. CANNON. Mr. President, I wish to commend the distinguished chairman of our committee and the Military Authorization Conference Committee members for evolving a meaningful and viable program satisfactory to both Houses. I am extremely pleased to see that the military pay increase has been

incorporated so that the members of our Armed Forces may receive equal consideration along with our civil servants. It is gratifying to see that the conferees stipulated that our uniformed services personnel should receive an adjustment in their compensation at the same time as one is provided all classified Federal employees. The effective date of July 1, 1966, the first day of the month in which the compensation of Federal employees is increased, is highly commendatory and brings into line the recognition which our military members deserve. In view of the enormous sacrifices our servicemen are making in southeast Asia, and will continue to make in support of U.S. policies, the Congress can do no less than to take this modest step in recognizing the personal and family needs of our men in uniform.

Mr. RUSSELL of Georgia. Mr. President, I hope that the report will be agreed to. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the conference report. The yeas and nays have been ordered, and the clerk will call the roll. The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Wyoming [Mr. McGEE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], the Senator from New Jersey [Mr. WILLIAMS], are necessarily absent.

I also announce that the Senator from Tennessee [Mr. BASS], the Senator from Pennsylvania [Mr. CLARK], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. SYMINGTON], are absent on official business.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Wyoming [Mr. McGEE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN] and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

If present and voting, the Senator from Michigan [Mr. GRIFFIN], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

The result was announced—yeas 81, nays 1, as follows:

[No. 133 Leg.]

YEAS—81

Alken	Harris	Montoya
Allott	Hart	Morton
Bartlett	Hartke	Moss
Bayh	Hickenlooper	Myrdt
Bennett	Hill	Murphy
Bible	Holland	Muskie
Boggs	Hruska	Nelson
Brewster	Inouye	Neuberger
Burdick	Jackson	Pearson
Byrd, W. Va.	Javits	Prouty
Cannon	Jordan, N.C.	Proxmire
Carlson	Jordan, Idaho	Randolph
Case	Kennedy, Mass.	Ribicoff
Church	Kennedy, N.Y.	Russell, S.C.
Cooper	Kuchel	Russell, Ga.
Cotton	Lausche	Saltonstall
Curtis	Long, Mo.	Smith
Dirksen	Long, La.	Sparkman
Dominick	Magnuson	Stennis
Douglas	Mansfield	Talmadge
Eastland	McCarthy	Thurmond
Ellender	McGovern	Tower
Ervin	McIntyre	Tydings
Fannin	Metcalfe	Williams, Del.
Fong	Miller	Yarborough
Fulbright	Mondale	Young, N. Dak.
Gore	Monroney	Young, Ohio

NAYS—1

Morse

NOT VOTING—18

Anderson	Gruening	Robertson
Bass	Hayden	Scott
Byrd, Va.	McClellan	Simpson
Clark	McGee	Smathers
Dodd	Pastore	Symington
Griffin	Pell	Williams, N.J.

So the report was agreed to.

#### AMENDMENT OF THE NATIONAL SCHOOL LUNCH ACT TO STRENGTHEN AND EXPAND FOOD SERVICE PROGRAMS FOR CHILDREN

The Senate resumed the consideration of the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

(At this point, Mr. McINTYRE assumed the chair.)

Mr. ELLENDER. Mr. President, I am delighted that we are at last considering the school lunch and special milk program bill.

The bill adheres very closely to the law that was enacted by the Congress 20 years ago. I am proud to say that I was a cosponsor of the original school lunch bill. In an effort to broaden the nutritional program for the children of the country, an effort was made by the administration to attach to the school lunch program amendments that would lead us into the field of taking care of children out of school. After careful study of the administration program, and after hearing witnesses on the subject, the Committee on Agriculture and Forestry decided to simply broaden the school lunch program and other feeding programs relating to child nutrition, but, confine them to in-school programs, and not out-of-school programs.

That was one of the chief differences between what the administration first desired and what the committee unanimously adopted.

I wish to emphasize that the measure before us in no manner changes nor even contemplates any changes in the manner



that the national school lunch program and the special milk program have been administered in the past. These two programs are among the most effective and best administered programs ever enacted into law. They represent the highest type of Federal-State cooperation which is seldom achieved but always sought after in legislation, and I want them to remain at this high level of efficiency. Controversy and politics have been kept out of the operation of the school lunch and school milk programs and a great deal of good has been accomplished with the small Federal expenditures that are involved.

Now when I say "small," Mr. President, I mean in proportion to the full amount which is expended on the school lunch program. The Federal Government contributes only about 20 to 22 percent of the total cost of this program. The rest of it is contributed by the local and State authorities, and also by the parents of the schoolchildren.

As I have just indicated, I have long been associated with the school lunch program and I want it to remain, as closely as possible, to the way it is now being administered. It is my belief that under no circumstances should we add any programs relating to out-of-school lunches or out-of-school breakfasts—in any manner to be handled other than within the schools.

I have long been a dedicated proponent of the national school lunch program. As a matter of fact, I was cosponsor of the original act in 1946. This is one of those pieces of legislation that goes about its business quietly—does its job—and we are very seldom called upon to review or consider substantive changes. The last amendments to the National School Lunch Act were introduced and passed in 1962.

Twenty years ago the Congress stated as its purpose in enacting the national school lunch program: "as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of agricultural and other food."

Those words are sound today just as they were when they were first written.

I know of no legislative enactment that commands broader support in the Congress than the national school lunch program. I know of no legislative enactment that commands broader support in State and local communities from coast to coast.

In recent weeks some confusion has arisen as to the intent and purpose of the administration's proposals to broaden the coverage of the act and make it still more effective in providing improved nutrition for the children of this country.

I want to assure the Senate again that under the bill now before it, the national school lunch program and the special milk program, as we have known them, remain intact. They will continue to be administered and operated in precisely the same form as they now are.

But, because of the increasing emphasis on preschool programs run by the school systems, we have clarified the authority of the Secretary of Agriculture to make these children eligible for the

lunch program. This broader coverage is the only aspect of the basic national school lunch program that has been touched.

We have used the basic School Lunch Act on which to build several other approaches to improving the nutrition of children:

First, we have provided authority for the special milk program which expires June 30, 1967, to be extended through fiscal year 1970 in essentially the same form as S. 2921, introduced by the distinguished Senator from Wisconsin [Mr. PROXMIRE], for himself and other Senators. Because the milk program is essentially a nutrition program for children, we feel that authority for its continuation appropriately belongs in this bill. We have also stipulated that, to the extent practicable, the Secretary shall administer the milk program in the same manner as he administered it in fiscal year 1966. This stipulation is not intended to put the Secretary in an administrative straitjacket, but it is intended to convey to the Secretary that the Senate is more than satisfied with the way in which this program has been operated in the past, and to put the Secretary on notice that any substantive change would be most undesirable.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a limitation of 20 minutes on the Ribicoff amendment when it is placed before the Senate—10 minutes under the control of the chairman of the committee, 10 minutes under the control of the Senator from Connecticut [Mr. RIBICOFF]. This has been cleared, as far as I know.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, will the Senator from Louisiana yield at that point?

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Does the Senator from Louisiana yield to the Senator from Wisconsin?

Mr. ELLENDER. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I want to thank the distinguished Senator from Louisiana for his reference to S. 2921 and to say that I am grateful to him, to the Senator from Vermont [Mr. AIKEN], to the Senator from Florida [Mr. HOLLAND], and to the other members of the committee for having incorporated S. 2921 into the bill.

Section 13 on page 12 achieves virtually everything which the 67 cosponsors of the school milk bill which I introduced wanted to achieve. It does it in almost precisely the same way we wanted it—that is, at the \$110 million in 1967, \$115 million in 1968, and \$120 million thereafter.

I want to reaffirm what I think other Senators strongly feel; namely, that the Committee on Agriculture and Forestry was wise in doing its best to maintain the program in the same way it has in the past, and not to have a program for the needy or a welfare program but a program for all the children of America. I think it is a program which will reach the needy much more effectively and on a

much more widespread basis than if we had concentrated on a means test, as had been proposed. This is a fine bill. It saves a school milk program that would otherwise have suffered an 80-percent reduction.

Again, I thank the Senator from Louisiana and congratulate him and express my gratitude to him.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I am happy to yield to the Senator from Vermont.

Mr. AIKEN. I appreciate what the Senator from Louisiana, my chairman, has just said. I agree that it is the intent of the committee that the Secretary shall administer the school lunch program and the school milk program just as he has been administering them in the past, although, as the Senator from Louisiana said, we are not putting it in a straitjacket. We realize that, under existing law, there can be variations. But, one thing which the committee insisted upon was that the school milk program and the school lunch program must not be incorporated as part of the poverty program. If there are proposals to have lunches, snacks, or anything like that in the programs set up under the poverty law, they should be provided for by an amendment to that law and not to the school lunch program.

I am sure the Senator from Louisiana will agree it is not our purpose that any of the money authorized to be appropriated in this bill would be used for any part of the poverty program.

Mr. ELLENDER. The Senator is exactly correct.

Mr. AIKEN. These programs have worked.

Mr. ELLENDER. Yes.

Mr. AIKEN. The poverty program, however, is far from being a workable operation up until now. Perhaps it will be in the future. We have been able to get a few approvals of Vermont projects through in the last few days, but they have been very slow in coming and they are finding it very, very difficult to find administrative personnel to operate the program.

Mr. ELLENDER. The Senator is correct in saying that the committee was not in favor, in any manner, of connecting this program with the poverty program.

Mr. AIKEN. That is right.

Mr. ELLENDER. The school lunch program has been a great success. The reason for it is that there has been complete cooperation between the Federal Government and the local government, as well as the recipients of this great program. It has not been necessary to tinker with the bill very much over a period of 20 years. It has worked very well. I attribute that to the fact that the local people took a great interest in the program and they are really responsible for the excellent manner in which it has been administered.

Mr. AIKEN. I believe it was the unanimous consensus of the Agriculture committee that we should not jeopardize programs which have worked for the purpose of bolstering programs which so far have not worked satisfactorily. I



hope that the projects under the poverty program will work, but until they do work satisfactorily I do not think we should involve the school lunch program with them. They should first show their capabilities of being effective, and even then I think they should be kept separate.

Mr. ELLENDER. The Senator will also recall, I am sure, that the Committee on Agriculture and Forestry was adamant in providing that the school lunches and school breakfasts must be served in the schools and not off the premises.

Mr. AIKEN. That is true.

Mr. ELLENDER. The Senator will remember the efforts which were made to include provision to feed children off school premises and that we objected to that. This additional school breakfast program which we are providing for here, which is more or less a pilot program, will be administered in the schools in much the same manner as the original school lunch program.

Mr. AIKEN. Yes, the special milk program applies to summer camps.

Mr. ELLENDER. It does.

Mr. AIKEN. And to nonprofit camps and to other programs into which the school lunch programs do not fit.

Mr. ELLENDER. That is right.

Mr. AIKEN. However, I suppose we could—and maybe we will some day—undertake to give these children three meals a day in their own homes the year round.

Maybe we should. Certainly, I am in favor of their having enough to eat so they can grow up healthy.

Mr. ELLENDER. May I say to the Senator from Vermont that we have two agencies of Government that are attempting to assist in feeding children off the school premises. They are the Department of Health, Education, and Welfare, and the economic opportunity program of Mr. Shriver. I understand those programs are working pretty well.

I wish to emphasize that our committee was adamant in not wanting to disturb the school lunch program as we understand it and as it has been operated for the past 20 years.

Mr. AIKEN. The Senator is correct. I would be in favor of giving lunches in the Headstart program to youngsters who needed them, but I would not be in favor of charging them to the school lunch program or authorizing an appropriation for them to be charged to the school lunch program.

Mr. ELLENDER. There is a matter of administration.

Mr. AIKEN. There is a great difference in the administration.

Mr. ELLENDER. That is what concerned our committee. The school lunch program has been ably administered through the cooperative effort of the Federal Government and the local people as well as the local governments.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Am I correct in my understanding from what the Senator from Louisiana has thus far said that under the school lunch program the

local officials, including in some instances the parents, pay 75 percent of the cost and the Federal Government 25 percent?

Mr. ELLENDER. That is about correct.

Mr. LAUSCHE. The program as it has been administered for the last two decades or more has been confined to the provision of lunches for school?

Mr. ELLENDER. Yes.

Mr. LAUSCHE. A new thought has arisen that, in addition to lunches in school, the Federal Government should provide lunch in the home?

Mr. ELLENDER. Outside of school, yes.

Mr. LAUSCHE. If, under this program, we begin providing lunches for children in the homes, as distinguished from children in the schools, what is likely to become of the willingness of the local boards and families to pay 75 percent of the cost?

Mr. ELLENDER. Of course, they will want Uncle Sam to pay the whole amount. I doubt if we would get the cooperation that is now in evidence under the school lunch program. There is no doubt in my mind that we would probably destroy the school lunch program as we now know it.

Mr. LAUSCHE. In other words, the 75 percent is now willingly paid to finance the whole program, but if we begin providing lunches for children in their homes, we will probably destroy the principle of the 75-25-percent basis. Is that correct?

Mr. ELLENDER. That was the opinion of the committee. That is why we reported the bill as we did, making it a strictly in-school program, but added to it, as I shall point out later in my remarks, a pilot breakfast program which shall be operated on the same basis as the school lunch program.

Mr. LAUSCHE. I thank the Senator for yielding.

Mr. ELLENDER. Second, we have provided a 2-year pilot school breakfast program for children from low-income families and for children who must travel long distances to school. In urban areas there are thousands of children in low-income families where the mother must leave for work before the children leave for school. It is difficult in these circumstances to have an organized, orderly family breakfast. In rural areas, many children travel an hour or more by bus and then have to wait around for school to begin. Even if these children have had a good breakfast at home, it is still a long time until lunch. In both cases, the attention span and conduct of the child are adversely affected.

The State educational agency will select the schools for participation in the breakfast program. The Federal funds provided will be used to help meet the food costs of a breakfast served to needy children. Where a program is in operation, all children may participate. Those who can afford to pay, will pay. It is our hope that even the needy children will pay a token price for the breakfast. As in the case of the lunch program State and local sources will need to pay for a part of the total program costs.

Third, although there is at present authority for nonfood assistance in the National School Lunch Act, this section of the act has not been funded for many years. The language of this section does not lend itself to concentrating Federal funds on providing equipment only to those schools than can demonstrate a lack of local resources to provide such equipment. For this reason, we have provided a new approach whereby schools drawing attendance from areas in which poor economic conditions exist may apply for equipment assistance to the State educational agency. Accompanying such a request must be a justification of a need for such assistance and a detailed description as to the facilities to be acquired and plans for their use in improving nutrition for attending children. Payments of Federal funds to the States for this program are to be made on condition that State and local sources will bear one-fourth the cost of such equipment.

Fourth, for 20 years, State educational agencies have administered the national school lunch program without Federal funds to help defray their costs of administration. We recognize that these agencies will have difficulty in obtaining sufficient additional funds to enable them to undertake the additional responsibilities required of them by the bill and by section 11 of the act. Section 11 of the existing National School Lunch Act, which provides for special assistance to particularly needy schools, requires a careful analysis of the economic situation in the area from which each school wishing to participate draws its attendance. These schools will also require more time and attention in terms of technical assistance to initiate and maintain an effective lunch program. This will be equally true in the case of the proposed breakfast program and most certainly the provision for equipment will require detailed and expert attention from the State educational agency. It is for these reasons that we have authorized the appropriation of funds to these agencies in the administration of special assistance, school breakfast and nonfood assistance activities.

The whole purpose of these amendments to the National School Lunch Act is to strengthen our national effort to improve nutrition among children. There is no question but that additional authority and funds are needed for this purpose. There is also no doubt that the U.S. Department of Agriculture is the one agency in the Federal Government best qualified to administer this national effort. During the past several years, other agencies have moved into the child nutrition field using their own funds and authority. We do not doubt that they moved to fill a need that the Department of Agriculture was not in a position to meet. With this legislation we want to make it abundantly clear that the administration of school food service programs is to be centralized in the Department of Agriculture.

That Department has the established lines of administration and communication through State educational agencies



and local school authorities. The national school lunch program has long been cited as one of the best examples in the Nation of Federal-State-local cooperation. At every step of the way—from the Department to the State educational agency to the local school lunch manager—each person involved knows exactly what is required of him. The nutritional requirements that must be met under the type A lunch as a condition of receiving Federal support are known, understood and accepted as in the best interest of the children served. The Department of Agriculture, the States and the school districts have long made use of the workshop technique to exchange ideas and to train those managing and operating what is in effect a multitude of small businesses in schools throughout the country that must serve attractive, nutritious meals on a limited budget and on a nonprofit basis.

The entry of other agencies with their own regulations and approaches can only confuse what should be a coherent, coordinated effort to improve nutrition among our schoolchildren.

The national school lunch program has a number of features that have stood the test of time, and therefore must be preserved, and as a matter of fact are preserved under this bill.

First, responsibility for program administration is placed in State educational agencies. They select schools for participation, take agreements with participating schools, pay reimbursement claims from funds advanced to the States by the Department of Agriculture and supervise operations in the local schools within the policies and regulations established by the Department of Agriculture. When the State educational agency is not permitted by law to disburse funds to private schools, the U.S. Department of Agriculture undertakes to do so directly.

Second, the act contains a specific formula for the apportionment of appropriated funds among the States for the regular school lunch program. The act also contains a specific formula under section 11 for the disbursement of funds among the States to provide for particularly needy schools.

Third, the act provides authority for the Secretary of Agriculture to establish nutritional standards based on tested nutritional research. These standards have resulted in the widely known type A lunch that includes a half pint of milk, fruits and vegetables, bread and butter or fortified margarine. This lunch will meet one-third to one-half a child's daily nutritional requirements. Within this pattern, the local school is free to serve any kind of food it wishes.

Fourth, the act contains a requirement that lunches be served free or at a reduced price to children who cannot afford the full price of a lunch. The national school lunch program was never intended to be a free lunch program. In most situations where the proportion of needy children in a school is relatively low, the cost of reduced price or free lunches can readily be met by local resources. In many schools in low-income districts, however, this is simply not possible. It was in recognition of this

simple fact of life that Congress approved section 11 in 1962. This section provides for special assistance to schools drawing attendance from particularly needy areas.

Section 11 was funded for the first time in fiscal year 1966. The Congress approved the sum of \$2 million for a series of demonstration projects. The results of those projects are described on page 7 of the committee report.

Mr. President, I ask unanimous consent that the portion of the report to which I have referred be printed in the RECORD at this point.

There being no objection, the excerpt from the report (No. 1360) was ordered to be printed in the RECORD, as follows:

A total of 831 schools in all 50 States and the District of Columbia participated in the projects. The number of children enrolled in these schools totaled 325,000. Nearly 137,000 children, or more than 60 percent of the total enrollment, participated on a daily basis.

Eighty-two schools operated lunch programs for the first time. Some two-thirds of the children enrolled in these schools participated in the lunch program. Although complete data are not available for every project, preliminary indications are that over 50,000 needy children received lunches at school for the first time.

In North Carolina, six schools participated in the demonstration project. Prior to the new program, less than one-third of the total enrollment of 6,400 children were participating in the lunch program. As a result of the additional assistance provided the student participation increased from 2,060 to nearly 5,000.

In California, 20 schools were approved for special assistance with an average daily attendance of 13,840 children. Here, the increase in participation as a result of reducing the lunch price from 30 cents to 20 cents, was 65 percent. In addition, there was a decrease in the number of lunches previously served free because more children could afford to pay the lower price for the lunch.

In Pennsylvania, 25 urban and rural schools with an enrollment of 9,000 children were approved as demonstration projects. Lunch prices were reduced from an average of 31.7 cents to 15.7 cents in these schools. As a result, the level of program participation increased by one-third and the number of free lunches provided more than doubled.

In Georgia, 20 needy schools were approved as demonstration projects. Lunch prices were substantially lowered because of the additional funds provided and the level of participation increased from 63 percent of enrollment to 84 percent.

In Tennessee, it was possible to initiate a lunch program for the first time in 16 schools which had previously been unable to finance a lunch program. With the special assistance funds it was possible to establish lunch prices in these 16 programs at 10 to 16 cents with the result that nearly 90 percent of the 1,300 children in these schools were able to receive a lunch at school for the first time.

In order to assist the States to meet their added supervisory functions in administering section 11, the bill authorizes appropriations for advances to States where necessary for that purpose.

Mr. ELLENDER. In my own State the State department of education approved 13 schools with a total average daily attendance of 13,302 students as demonstration projects eligible for section 11 funds. As a result of the additional assistance, lunch prices in these schools dropped from an average of 16.6 cents to

an average of 8.2 cents; and student participation increased 40 percent, from 6,384 to 8,912. Prior to the demonstration projects, participation in the 13 schools was 48 percent. With the additional assistance they were able to increase participation in the school lunch program to 67.4 percent. The new low price made it possible for more children to pay their way and the free lunches dropped significantly. But most important, teachers report that the additional children that now receive the lunch are physically improved, more alert, and more responsive in class.

In describing the bill now before us, I have spent some time discussing the existing school lunch program, and the successful results that have been obtained under it. My purpose is to show the background for the present bill, and illustrate the successful administrative organization that would be used to carry it out. In order that there may be a clear understanding as to exactly what the bill does, I shall summarize its provisions at this time.

First, the bill makes absolutely no change in the school lunch program or special milk program, but requires that each of those programs be carried on in the same manner as the past. The authority for the special milk program would be extended through fiscal 1970.

Second, Federal assistance to school feeding programs would be centered in the Department of Agriculture.

Third, the authority of the Secretary to extend school feeding programs to include preschool programs conducted as part of the school system would be affirmed.

Fourth, two new programs would be authorized, namely, a 2-year pilot breakfast program, and a permanent nonfood assistance program.

Fifth, an appropriation would be authorized to provide assistance where necessary to enable States to meet their additional administrative expenses incurred as a result of the additional duties imposed by the bill and section 11 of the act.

Separate appropriations are authorized for each of the two new programs, for assistance to States for administrative expenses, for the school lunch program, and for the special milk program. It was the intention of the committee that each of these programs should stand on its own base, and that neither of the existing programs should be affected by the addition of the new programs.

A detailed explanation of the provisions of the bill appears on pages 11 through 15 of the committee report. I ask unanimous consent that those pages of the report (No. 1360) be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### VI. SECTION-BY-SECTION EXPLANATION

##### SECTION 1—TECHNICAL AMENDMENTS

Section 1(A) keeps the appropriation authorization for the national school lunch program separate from those for the new programs provided by the bill.

Section 1(B) excludes funds appropriated for the new programs from section 6 of the National School Lunch Act, which provides



that part of the funds may be used for Department administrative expenses and part may be used for direct food purchases.

Section 1(C) defines "nonprofit institution" as an institution, other than a school, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 1(D) adds new sections 13 through 25 to the National School Lunch Act. The new sections are as follows:

Section 13—Special Milk.

Section 14—School Breakfast.

Section 15—Nonfood Assistance.

Section 16 through 25—General Provisions.

#### NEW SECTION 13—SPECIAL MILK PROGRAM

New section 13, which provides for the special milk program is identical to section 2 of the act of July 1, 1958, the current authority for the special milk program, except (1) the current authority runs only through June 30, 1967, while the new authority runs through fiscal 1970; (2) appropriations would be limited to not more than \$110 million for the fiscal year ending June 30, 1967; not more than \$115 million for the fiscal year ending June 30, 1968; and not more than \$120 million for each of the 2 succeeding fiscal years; and (3) new section 13 requires the Secretary to administer the program in the same manner as in the past. This last change was considered necessary to make clear the intention of Congress that the course of the program is not to be changed. The language of the existing law provides the Secretary with very broad authority as to the manner in which the program is to be conducted. He might administer it in the same general manner as in the past; or he could place much greater emphasis on assistance to schools in low-income areas, schools without school lunch programs, or otherwise change the course of the program. The change described in item (3) above would require the Secretary to administer the program insofar as practicable in the same manner as in the past. Since the new authority would be part of the National School Lunch Act, the general provisions of that act would be applicable.

#### NEW SECTION 14—PILOT BREAKFAST PROGRAM

New section 14 provides for a pilot school breakfast program for fiscal years 1967 and 1968.

Subsection (a) authorizes appropriations for such program in schools serving children from low-income areas and in schools drawing attendance from children who have to travel long distances. The appropriation for fiscal 1967 could not exceed \$7.5 million. The appropriation for fiscal 1968 could not exceed \$10 million.

Subsections (b) and (c) provide for apportionment to States. Three percent would be apportioned to Guam, the Virgin Islands, Puerto Rico, and American Samoa, on the basis of the number of children ages 5 through 17. From the balance the other States would each receive, first, a basic grant of about \$49,000 (a total of \$2,500,000 equally divided) and, second, additional funds on the basis of need as indicated by the number of children in the State, ages 5 through 17, in families with income of less than \$2,000 plus children, ages 5 through 17, in families with incomes of more than \$2,000 per annum from payments under the program for aid to families with dependent children.

Subsection (d) requires States to disburse funds to schools found eligible by the State educational agency at rates per meal that will be established by the Secretary. These funds are to be spent only for food for needy children.

Subsection (e) provides that in instances of severe need, the Secretary may authorize assistance up to 90 percent of the operating

cost of a breakfast program, including the cost of obtaining, preparing and serving food. In these schools Federal funds could be disbursed in amounts in excess of the per meal rates described in subsection (d) and could be used to cover costs of preparation and serving in addition to the cost of the food itself. Assistance under subsection (e) would be given only if the applicant school showed the need for such assistance.

Subsection (f) requires meals served under this section to meet nutritional requirements prescribed by the Secretary on the basis of tested nutritional research and to be served free or at reduced cost only to those children found, by local school authorities, to be unable to pay the full cost. This is generally similar to the requirement contained in the existing National School Lunch Act.

Subsection (g) provides that the Department of Agriculture will administer the program in nonprofit private schools in those States whose educational agency is forbidden, by law, to disburse funds to other than public schools. This is similar to the method followed under the National School Lunch Act.

#### NEW SECTION 15—NONFOOD ASSISTANCE PROGRAM

New section 15 provides for a permanent nonfood assistance program in schools drawing attendance from poor economic areas.

Subsection (a) authorizes appropriations to assist States in helping such schools acquire facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food.

Subsection (b) provides that funds shall be apportioned among the States on the same basis as school lunch funds under section 4. Payments to States are made on condition that one-fourth of the cost of any facilities financed shall be borne by State or local funds.

Subsection (c) permits the State educational agency to disburse funds to eligible schools by advance or by reimbursement only on request from the school, accompanied by a detailed description of the facilities to be acquired and plans for their use to improve the nutritional needs of the children in the school. Applicant schools would have to show the need for such assistance and the inability of local tax sources to finance the facilities.

Subsection (d) requires the Department of Agriculture to administer the program in nonprofit private schools in those States where the State educational agency is not permitted, by law, to disburse funds to other than public schools.

#### NEW SECTION 16—PAYMENTS TO STATES

New section 16 provides that the Secretary shall certify to the Secretary of Treasury payments to be made to any State under the new provisions and the Secretary of Treasury shall make the payment. This is the same procedure currently used under the national school lunch program.

#### NEW SECTION 17—STATE ADMINISTRATIVE EXPENSES

New section 17 authorizes the appropriation of funds needed to assist State educational agencies in the administration of additional activities undertaken under sections 11, 14, and 15 (the existing provision for special school lunch assistance in low-income areas, and the new provisions for school breakfasts and nonfood assistance).

#### NEW SECTION 18—UTILIZATION OF FOODS

New section 18 requires schools participating in the breakfast program to use to the extent practicable foods designated by the Secretary as being in abundance, and to receive foods donated by the Department of Agriculture.

#### NEW SECTION 19—NONPROFIT PROGRAMS

New section 19 requires all food and milk service programs receiving assistance under the act to be operated on a nonprofit basis. This is similar to the requirement under the National School Lunch Act.

#### NEW SECTION 20—STATISTICAL DATA

New section 20 provides that information on numbers of children, ages 5 through 17, and on per capita income shall be made available by the Secretary of Commerce and, unless otherwise specified, shall be the latest available. Data on the numbers of children, ages 5 through 17, in families with incomes of more than \$2,000 per annum from payments under the Department of Health, Education, and Welfare's program of aid to families with dependent children shall be provided by that Department.

#### NEW SECTION 21—REGULATIONS

New section 21 authorizes regulations.

#### NEW SECTION 22—PROHIBITIONS

New section 22 prohibits—

(a) The Secretary and the States from imposing any requirements with respect to teaching personnel, curriculum, or materials of instruction in carrying out the special milk or other programs added to the National School Lunch Act. A similar provision now applies to the national school lunch program.

(b) The value of assistance to children under the National School Lunch Act from being considered as income or resources for purposes of other programs.

(c) State and local expenditures for food programs for children from being reduced as a result of funds received under the National School Lunch Act.

#### NEW SECTION 23—PRESCHOOL PROGRAMS

New section 23 authorizes the Secretary to extend the benefits of school feeding programs under the act to preschool programs operated as part of the school system.

#### NEW SECTION 24—CENTRALIZATION OF ADMINISTRATION

New section 24 would centralize in the Department of Agriculture the administration of all Federal programs to provide assistance to school food service programs. To the extent practicable other Federal agencies would be required to transfer to the Department of Agriculture any funds to be used for such assistance. The purpose of the Committee is that Federal assistance not be dissipated by being divided among various agencies and administered under varying regulations through varying local agencies.

In view of the proliferation of child feeding programs in schools, sponsored and financed by several agencies of the Federal Government, under varying regulations and standards, it seems time to express the intent of Congress that these programs be brought under the supervision of the Department of Agriculture. It would be difficult to find a program that has been operated more effectively and efficiently or to the greater benefit of children than the national school lunch program. The thousands of schools throughout the country that participate in this program know precisely what is required of them. The lines of administration and communication are clear. The mutual responsibilities of the Department of Agriculture, the State educational agency, and the local school authorities are thoroughly understood by all. The technical assistance resources, the workshop and other techniques used by State and local groups throughout the country for training their school lunch personnel are well established and effective.

The national school lunch program is the largest food service of its kind in the world. It is logical, therefore, that full use be made of the expertness acquired in 20 years of operating this program.



NEW SECTION 25—NO CHANGE IN SCHOOL  
LUNCH PROGRAM

New section 25 requires the school lunch program to be administered in the same manner as in the past.

There has been considerable misunderstanding recently as to the prospects for continuing the national school lunch program in its present form. The committee is thoroughly convinced that there was no intent to change the basic national school lunch program in any way. To assure that no such change can occur and to express full confidence in the existing administration and operation of the program, section 25 provides that:

"The Secretary shall administer sections 1 through 12 of this act to the maximum extent practicable in the same manner as he administered those sections during the fiscal year ended June 30, 1966."

This language is not intended to inhibit program administration. It is intended to indicate the committee's endorsement and approval of the approach now being followed in program administration.

Mr. ELLENDER. Mr. President, the bill now before the Senate provides for several new desirable programs. All of these are limited to in-school activities. It is a good bill. It will strengthen the existing successful National School Lunch Act. I hope that the Senate will give it its unanimous approval.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator has stated that efforts have been made to expand the school lunch program so that lunches will be provided for needy children outside of the school, in the home.

My question is, do we or do we not now have in existence programs which are constructed so as to provide aid to the poverty stricken?

Mr. ELLENDER. Yes.

Mr. LAUSCHE. For one, do we have what is known as the program of aid to families with dependent children?

We ELLENDER. We do have that.

Mr. LAUSCHE. I believe that program has been in existence for perhaps 20 or more years. Is there not a special program of the Job Corps under the economic opportunity program to train the poor for work?

Mr. ELLENDER. There is such a program.

Mr. LAUSCHE. There is also Project Headstart which involves getting infant children into school in advance so that they will be prepared to catch up with intellectually brighter children.

Mr. ELLENDER. It is more or less a prekindergarten program.

Mr. LAUSCHE. In addition to the present Project Headstart under the economic opportunity program, are some services provided in the bill for the kindergarten program?

Mr. ELLENDER. The Senator is correct, but that is to be managed by a different organization.

Mr. LAUSCHE. As I understand it, in addition to the existing program of providing aid to the poverty stricken and the school lunch program, it has been recommended or proposed that we start a new program under the school lunch program to provide lunches in the homes of children when the children are away from school.

Mr. ELLENDER. That proposal was presented to us some time ago. That proposal was that the Department of Agriculture handle this in connection with the school lunch program. The committee refused to go along with that proposal. As a matter of fact, I introduced a bill and added the program that I have described here, a pilot program for breakfast and a program to assist communities which are unable to provide nonfood equipment to serve the lunches.

The committee provided for these additional programs to operate in the same manner as the school lunch program, an in-school program and not an out-of-school program.

Mr. LAUSCHE. Mr. President, for the purpose of making the record complete, can the Senator from Louisiana state what the cost of the program as envisioned in the pending bill would be?

Mr. ELLENDER. The cost would be \$152 million.

Mr. LAUSCHE. And that would cover one-fourth of the cost.

Mr. ELLENDER. The Senator is correct, assuming that the local share would continue at about past levels.

Mr. LAUSCHE. Six hundred eight million dollars would be spent in the Nation, \$450 million of which would be borne by the local people.

Mr. ELLENDER. The Senator is essentially correct. That expense would be borne by local governments and, of course, by the parents who would give the children the money to pay for their lunch.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Mr. President, I expect to vote for the bill. I strongly support the school lunch program and the school milk portion of it. I strongly support the Senator from Louisiana, who has greatly improved the bill over the original form in which it was at the time he introduced it by request, I believe, of the Secretary of Agriculture.

I have grave doubts as to the special breakfast program. I do not think it will work on the basis of time. I think that it will require an additional staff of people, or people working additional hours. I think that it will not work in nicely with the home programs of the children. It is difficult for me to see how a program can be worked out on the basis of taking care only of those children who have not had an adequate breakfast at home, or who have had to travel abnormal distances to get to school.

I believe the record shows that it was not supposed to take care only of those children, but was also to be addressed to a much larger number of children. I do not think that it is practical as addressed to a larger number of children, because the average child would get his breakfast at home, and I think it would be an adequate and better breakfast than he would get from the school breakfast program.

I think the features of the bill continue the very much appreciated programs that have been used throughout the Nation and continues them on a satisfactory basis.

I shall vote for the bill. I simply want the Record to show that I have grave doubts about the breakfast program. I have doubts whether the program will work out as well as expected. I am particularly fearful that the cost of the breakfast program will prove to be much greater than anticipated.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Mr. President, I commend the Senator from Louisiana for his presentation. I subscribe to the bill that he has presented. I think it is sound, and I shall gladly vote for it.

Mr. ELLENDER. I thank the Senator.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. THURMOND. Mr. President, I associate myself with the remarks of the able and distinguished senior Senator from Florida. I think the school lunch program and the milk program are very beneficial and worthwhile programs. I have grave doubts as to the breakfast program. It seems to me that if we were to provide lunch for the schoolchildren, that would be adequate provision. I fear that if we provide breakfast, there will next be a demand that we provide lunch and supper for the children. There will next be a demand that we provide breakfast, lunch, and supper for the adults. I can see that this might be the entering wedge to practically guaranteeing all meals to all people, and this, to my way of thinking, would be very objectionable and would truly constitute a welfare state.

I commend the Senator for the splendid work done on the bill, but I question sincerely the wisdom and the practicality of including the provision for breakfast.

Mr. ELLENDER. Mr. President, the breakfast program is a pilot program and is limited to 2 years. It is limited in the amount that can be spent. It would operate on the same basis as the present school lunch program. The meal would be served on the school premises.

Mr. THURMOND. I understood that.

Mr. ELLENDER. The Senator has mentioned furnishing supper to the children. Of course, the children would not stay in school until 6 or 8 o'clock in the evening. I do not know what the Senator has in mind, but I feel as he does about some of these welfare programs. I feel that they go a little too far.

I point out that the committee was very careful to see that this program was to be administered in school and not at the homes of the children.

The original bill might have required the service of food out of school. However, we were careful to see that the program would be administered in the same manner as the school lunch program.

I have no doubt that, if there are any flaws in the breakfast program, they can be discovered within the next 2 years.

The breakfast program would be limited to 2 years. I think it is a good idea that we discover whether the program can be accomplished under the bill. I am sure that efforts will be made to handle the program in the same manner as the school lunch program.

Mr. THURMOND. Mr. President, there is nothing so permanent as a tem-



porary Federal program." I predict that once this program has been instituted, even though it is on a pilot basis, it will become a permanent program, and that it will be impossible then to cut it off. I believe the Senator from Louisiana would probably agree that once a program continues for 2 years, it is here to stay.

Mr. ELLENDER. It might be a good idea to institute this program for children who attend school and are unable to obtain food because their parents are poor or because they must travel many miles to school.

Mr. THURMOND. Is this breakfast program to be limited now to poor children in school?

Mr. ELLENDER. No. It is hoped that the program will be managed and administered the same as the school lunch program, and that efforts will be made to have the children pay.

Mr. THURMOND. But any child could get the breakfast under this program, just as they get lunch, as I understand.

Mr. ELLENDER. Yes.

Mr. THURMOND. I believe it is a good bill. However, I wish to go on record as stating that I feel it is unwise and impractical to include the breakfast in the program.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. AIKEN. Only a small percentage of the school children of this country receive free school lunches or reduced-price lunches. In my State, 8 percent of the school children receive such lunches. How many are free, I do not know. Nine-two percent of the children pay the full value.

In one or two States, a much higher percentage of school children receive school lunches free or at a discount. I believe that the District of Columbia has the highest percentage of free lunches in the country. Guam, or another of our territories, receives 100-percent free.

The average percentage of children who receive free or reduced-price lunches is less than 10 percent, and in some States, it is as low as 2 or 3 percent; the rest pay for the lunches.

Under the poverty program, all children receive free school lunches. We were asked to put this program under the poverty program. The recommendation was to slash the school lunch program and to virtually scuttle the school milk program. The committee unanimously agreed not to do that, because these programs have worked. Why scuttle them for the purpose of building up a program which so far has not worked satisfactorily? I hope that the program will work satisfactorily as time goes on and as capable personnel can be employed. But why scuttle programs that have worked, in order to build up a program which has yet to prove itself?

Mr. COOPER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. COOPER. I direct my questions also to the distinguished Senator from Florida [Mr. HOLLAND], who is chairman of the Subcommittee on Appropriations for the Department of Agriculture.

I am happy to support the bill, S. 3467, to continue the special school milk program and amend the School Lunch Act.

I have been glad to help work out some of its provisions in the Committee on Agriculture, on which I serve.

I would like to say, first, to those who have spoken about the breakfast program, that in committee I believe we all expressed some concern about its implications. However, as the chairman pointed out, it has been limited to 2 years, and the appropriation authorization for this pilot program has been limited. Also, it was thought that by placing the pilot program in the bill, it would be kept from the jurisdiction of other agencies. Now I move to another concern, respecting the operation of the existing permanent school lunch program.

One feature of the school lunch program has always troubled me. We know that in the school lunch program all children are eligible to receive a school lunch. The law provides that lunches "shall be served without cost, or at a reduced cost, to children who are determined by local authorities to be unable to pay the full cost of the lunch."

The local school authorities may try to realize that provision by charging some students more than the actual local cost of the lunch, so that this added income can be used in reducing the cost for the neediest children. But in many school districts, where a great proportion of children are from families of low income, not enough students can pay an additional amount so as to supply the funds which are required to reduce the cost for the neediest children.

I believe this is a gap, and a weakness in the school lunch program. It works, in many cases, to deprive the neediest children of receiving any lunch at all. If the local school districts cannot fund the program, they do not have the school lunch program. It means that the neediest children do not get any lunch.

Section 11 of the Act authorizes appropriations to help meet this need—which is the reason I addressed myself to the distinguished Senator from Florida. It is designed to help the school children in the United States, estimated at 10 percent of the national total, who are the neediest. But it can be funded only if the House and Senate Committees on Appropriations supply some funds to meet this need.

I understand that Secretary of Agriculture Freeman has testified that \$20 or \$25 million could meet this need. We are already providing funds which exceed \$300 million as the Federal Government's part of the school lunch program. Yet the ironic fact is that the children who are the poorest, and cannot contribute any funds, may get no lunch.

For example, a family having four or five children in school, and scarcely able to pay a penny, at 25 or 30 cents should pay \$1 or \$1.50 a day, but cannot do so. If the cost of their lunch cannot be made up by others, they will have no lunch. In school districts having many such families, they just do not have a school lunch program. So I believe this is a

serious gap in the operation of the school lunch program.

The authority to remedy this defect is provided in the act. I sincerely hope that the Committee on Appropriations will examine this question carefully and will supply some additional funds for section 11, even if it has to reduce appropriations for the total program, so that the neediest children may be helped. I must say that I think this would be a much finer thing to do than to start a school breakfast program.

I appeal to the Committee on Appropriations to see if provision cannot be made for school lunches for the neediest children. Last year the amount provided was \$2 million. It helped some. Perhaps this year the committee can provide a more nearly adequate proportion of the total school lunch funds to help the neediest schoolchildren in the country, and I mean the neediest—those who need the school lunch more than thousands who are now receiving it.

Mr. ELLENDER. The Senator from Kentucky doubtless recalls that many school districts were so poor that they could not even provide for the nonfood costs of the school lunch program.

Mr. COOPER. That is true.

Mr. ELLENDER. Now we are providing it, and we must make a case. It is my belief that we shall be able to take care of many of the poorer schoolchildren who are not now receiving school lunches.

Mr. HOLLAND. Mr. President, I believe that the distinguished Senator from Kentucky addressed his question, in part, to me.

Mr. COOPER. I did so because I know that the Senator from Florida is a member of the Committee on Appropriations, just as is my friend the Senator from Louisiana. I mean what I say. I appeal to the Senators.

Mr. HOLLAND. I am glad to say that we have had some experience under section 11, to which the Senator refers. I am speaking now as one member of the subcommittee which has to do with agriculture appropriations, of which subcommittee the Senator from Louisiana is also a member and the Senator from Vermont [Mr. AIKEN] is an ex officio member. There may be other Senators in the Chamber who are also members.

For some years there has been quite a difference of opinion between the members of the Committee on Appropriations of this body and the members of the Committee on Appropriations of the other body as to whether section 11 should be activated. Last year, for the first time, we were able to persuade the committee of the other body to go along with us by providing, as a beginning, a figure of \$2 million for the taking up of the school lunch program in areas where there were children so poor that they could get no lunch, and where the districts were so poor that they could not participate.

Our committee had put this item in the bill before but had failed to maintain it in conference. But in conference last year the other body accepted this item, \$2 million was provided, and a beginning was made in meeting this particular matter.



I have before me the testimony of the authorities from the Department of Agriculture who testified on this particular matter this year. They testified that they would like to have \$19.3 million for special assistance under section 11; that is, as compared with the \$2 million. The testimony further showed that they expected this program to become a very much larger program in the future.

As a matter of fact, both our Committee on Appropriations and the Committee on Agriculture and Forestry, of which the Senator from Kentucky [Mr. COOPER] is a distinguished member, were somewhat alarmed over the fact that the authorities wanted to make all of these programs social welfare programs rather than the type programs they had been.

In connection with this particular bill, as it came from the department, my recollection is that one of the main objections that the Senator from Louisiana [Mr. ELLENDER] had to it in its original form—and he is entitled to great credit for having improved it before we reported it out of committee was that they sought to make it almost exclusively a social welfare program, with respect to teachers and individuals as distinguished from children, as to who was entitled to receive the benefits of the program and who was not. We felt that that was the wrong approach both in the Committee on Agriculture and Forestry and the Committee on Appropriations, and many changes have been made in the bill to get away from that position.

The fact is that no one knows how big this section 11 effort could become, and no one knows what the attitude of the Committee on Appropriations of the other body will be this year.

We were all somewhat alarmed at the tendency that appeared to make the entire program a welfare program and reduce greatly these well-established programs, the school-lunch program and the school-milk program.

The budget this year reduced the special milk program from \$103 million to \$21 million. I do not recall the amount of the reduction of the school lunch program. It is not that great. My recollection is it decreased \$23 million from what it was the year before. It had been explained that the school lunch program was not meeting all of the needs it was designed to meet and the tendency was to make social welfare programs out of these two programs.

I wish to say to the Senator that our subcommittee of the Committee on Appropriations will give attention, as we have in the past, to section 11. What the result will be I can give no guarantee, but we are disturbed.

I speak not only for myself but also for others who serve on both committees. We are disturbed at the manifest intention to make a welfare program out of these programs which have been pretty well established. Both the school lunch program and the school milk program control life in so many of our communities in our Nation.

We will give close attention to section 11, if that answers the question propounded by the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. I thank the Senator.

It was last year that the first appropriation, as I remember, was made available under section 11 for this purpose.

Mr. HOLLAND. It was the first appropriation, and it was only a trial run.

Mr. COOPER. I supported the position of the chairman and the Senator from Florida that the school lunch program should be kept in the control of the Department of Agriculture and the local school authorities, and not be allowed to branch out into programs being carried on under the Antipoverty Act. I agree with that.

I have made my point about the operation of the school lunch program in areas where, unfortunately, the majority of the pupils come from very low-income families. I think the consequence has been that in the lowest income school districts in the United States, their children, the poorest children in the country, have been outside the operation of the school lunch program.

The provision in the act designed to meet this situation is section 11, which specifically authorizes the appropriation of funds to help those school districts have a lunch program their children can afford.

I know that the problem of administering a lunch program in such school districts is often very difficult. It is difficult in my own State, particularly in the eastern part, the section where I live.

I do feel at times that many of the programs which have been authorized by the Congress grow until they overlap and that they are not as effective as they should be. Some are wasting money, and that always troubles me because I would like to see these programs reach their purpose, and actually help the people. I do not think that it is happening in many instances.

The school lunch program is a good program, which has been operating a long time, effectively administered on the whole under the authority of the Department of Agriculture. But I did want to call attention to the fact that, unfortunately, it sometimes does not help the poorest children.

Mr. President, I had prepared a somewhat fuller statement of my views on this subject, and ask that it be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER IN SUPPORT OF SECTION 11 FUNDS

I am very glad that the committee report, on page 6, includes a discussion of Section 11 of the National School Lunch Act. While the bill before us today does not deal directly with the problem of providing school lunches to those who cannot afford to pay, I believe it is very important to keep this specific purpose of the act in perspective, and to direct the operation of the school lunch program with a better sense of priorities to the goals we seek.

As I understand, the school lunch program has three fundamental purposes: First, to provide a nutritious hot lunch to children at their schools, to better insure their health. Times have changed since most children could walk home for lunch, patronize a neighborhood snack shop, or carry a sandwich and apple in a pail. Second, the school

lunch program has provided the most constructive and valuable outlet for surplus agricultural products, and those supported by government programs, including dairy products and canned fruits and vegetables. But it is far more than that. Third and very important, it provides effective assistance to those families which are needy—by providing good food in the school lunch for growing children who, in many cases, have no other decent meal.

It is this last purpose which I believe deserves greater attention and emphasis, and which should be assigned a higher priority.

It is widely recognized that the National School Lunch Act has always contained the provision, in Section 9, that lunches "shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the lunch". But, I think it is less well known that this authority in Section 9 does not provide Federal funds for this purpose. Specific funds to meet this purpose were separately authorized in 1962 by Section 11. In fact, Section 11 was funded for the first time at the very modest level of \$2 million for a portion of the last school year.

I recall the testimony of the Secretary of Agriculture, cited in the committee report, that nearly 1½ million children would qualify for, but do not receive, a reduced-price or free lunch. As I understand, a Federal appropriation of \$26 million is estimated as the amount needed to fulfill this purpose. I have supported the annual appropriation of approximately \$100 million annually for the special milk program, which is in addition to the half pints of milk provided in every "Type A" lunch, and the Federal share of approximately \$300 million annually representing about 20% of the cost of the entire school lunch program. I point out that the amount necessary to effectively implement Section 11 and assure that the neediest school children can receive a lunch would be less than 10% of that total cost. I present this fact because it seems to me a purpose which deserves to be assigned a priority not less than that for a pilot breakfast program, assistance for equipment for schools in needy areas, or State administrative funds—as provided in the bill before the Senate today.

I would like to describe briefly the need for more adequate funding of Section 11. To do so seems to me consonant with the policy of the Congress and the Administration in directing greater assistance to recognized areas of need, both in the heart of urban centers and in isolated rural areas having concentrations of large numbers of low-income families.

In a great many schools, the price charged pupils for the lunch, perhaps 25¢, may provide 2 or 3¢ which can be used to finance free lunches for 10% of the pupils who cannot afford to pay. But, in many of the schools where a large number—one-third or one-half or more of the children—are from families who find it hard or impossible to pay for the school lunch, the local authorities have found no way to finance the program, and the school simply will not have the lunch program at all.

In other schools, it is impossible to increase the price of the lunch so as to provide sufficient reduced-price lunches to children in somewhat less fortunate circumstances—especially when the entire school serves a low-income community. In these schools, which have the lunch program, perhaps only half the children participate—and those which should really be the first priority beneficiaries of the program, do not get the lunch.

It is the function of Section 11 to meet this problem, and I think it incumbent upon the Administration and the Congress, and the friends of the school lunch program



across the country, to pursue more vigorously this purpose.

The bill before the Senate today recognizes our desire that child nutrition programs in the schools be centered in the Department of Agriculture. But, if the humane purpose of insuring that a hot school lunch is made available—and not last, but first—to those who have less food at home and are in the most difficult circumstances is not to be met by the Department of Agriculture, it is only natural that those charged with the education programs under Title I of the Elementary and Secondary Education Act, and with the anti-poverty programs, should seek to correct the default of the Department of Agriculture in seeking, and of the Congress in providing, a reasonable share of the total school lunch costs for the purposes of Section 11.

I am glad that in the State of Kentucky, as cited in Secretary Freeman's testimony, demonstration projects were undertaken in 54 schools last year, largely in eastern Kentucky, providing reduced-price lunches. I point out that it is the policy of the Department of Agriculture in carrying out this program, not simply to provide lunches without cost to some students, and at the usual charge to others. Rather, the Department has encouraged a reduction in the price of the lunches to 15¢ or even 10¢ in schools with large populations of needy children. This gives all an opportunity and an obligation to contribute. It also results in a much higher proportion of the pupils actually participating in the hot lunch program.

I know that the bill before us today is directed primarily to extension of the special milk program, and authority for pilot breakfast and equipment programs in needy areas. The question of more adequate funding for Section 11 will be before the Senate later this week in connection with the Agricultural Appropriations Act and, perhaps later this year or early next year, in the President's request for supplemental appropriations. But, I did want to take this opportunity to discuss the financing of lunches for the neediest students, because it seems to me a fundamental purpose of the school lunch program which has been neglected.

Mr. HOLLAND. I thank the Senator for his comments. I believe that this colloquy has brought out a fact which is worthwhile having in the RECORD; that is, that both the Committee on Agriculture and Forestry and the Appropriations Subcommittee have problems to handle that are very far from being directly related to agricultural life. Some of them tend to be more social in nature than otherwise. One is the school lunch program, another is the special school milk program, and another is the food stamp program. Then, there is the food-for-freedom program which we are going to mark up tomorrow.

All of us are aware of the fact that the Committee on Agriculture and Forestry and the Agriculture Subcommittee of the Committee on Appropriations, which deals with the same subject, have to deal with a great many subjects that are not directly agricultural problems.

I wish to say for the RECORD that while I have not always agreed with the decisions of the Senator from Louisiana [Mr. ELLENDER], the chairman of our Committee on Agriculture and Forestry, these problems could not be entrusted to anyone with a bigger heart or more humanitarian viewpoint. I give him public credit here for those qualities. I am

sure that the Senator from Kentucky [Mr. COOPER] and the Senator from Vermont [Mr. AIKEN], who observed him work out these problems in committee, know that this is the case.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The bill is open to amendment.

#### AMENDMENT NO. 637

Mr. RIBICOFF. Mr. President, I call up my amendment No. 637, which has been slightly modified, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. RIBICOFF. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by the Senator from Connecticut [Mr. RIBICOFF] is as follows:

On page 11, between lines 13 and 14, insert the following:

#### "TITLE I—NATIONAL SCHOOL LUNCH ACT AMENDMENTS"

On page 22, after line 12, add the following:

#### "TITLE II—SPECIAL SUMMER LUNCH PROGRAM FOR CHILDREN"

"SEC. 201. This title may be cited as the 'Special Summer Lunch Program for Children Act'.

#### "Declaration of purpose"

"SEC. 202. It is hereby declared to be the purpose of this title to further safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by establishing a special summer lunch program for children to complement the regular school lunch program carried out under the National School Lunch Act.

#### "Appropriations authorized"

"SEC. 203. For each fiscal year there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as the 'Secretary') to carry out the provisions of this title.

#### "Special summer lunch program for children"

"SEC. 204. The Secretary shall formulate and carry out a special summer lunch program for children as provided in this title under which lunches shall be made available for children between the ages of three and eighteen, inclusive, attending public recreation centers, public or private nonprofit day camps, public or private nonprofit neighborhood child centers, public or private nonprofit summer camps, or any similar public or private nonprofit activity organized to promote the health or recreation of children, including a community action program organized for such a purpose and approved under title II of the Economic Opportunity Act of 1964 (all of the foregoing hereinafter referred to as 'summer youth centers'). The sums appropriated for any fiscal year for carrying out such program, excluding the sum specified in section 205, shall be available to the Secretary for supplying agricultural commodities and other foods for the program in accordance with the provisions of this title. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the funds made available for such year for supplying agricultural com-

modities and other foods under the provisions of section 203 of this title. The Secretary shall apportion funds among the States on the same basis, insofar as practicable, as funds are apportioned under section 4 of the National School Lunch Act to carry out the national school lunch program. The program authorized under this title shall be carried out in a State only during the summer vacation period when the elementary and high schools of such State are normally closed or open only on a limited summer schedule.

#### "Nonfood assistance"

"SEC. 205. Of the sums appropriated for any fiscal year to carry out the special summer lunch program for children authorized by this title, \$8,000,000 shall be available to the Secretary for the purpose of providing during such fiscal year, nonfood assistance for such special program pursuant to the provisions of this title. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$8,000,000, and such apportionment among the States shall be on the same basis as the apportionment of funds for agricultural commodities and other foods is made under section 204 of this title.

#### "Direct Federal expenditures"

SEC. 206. The funds appropriated for any fiscal year for carrying out the provisions of this title, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses, and less the amount apportioned by him pursuant to sections 204, 205, and 210, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and summer youth centers participating in the special program under this title in accordance with the needs as determined by the appropriate local authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this title, also be applicable to expenditures of funds by the Secretary under this title.

#### "Payments to States"

"SEC. 207. Funds apportioned to any State pursuant to section 204 or 205 of this title during any fiscal year shall be available for payment to such State for disbursement by the appropriate State agency, in accordance with such agreements not inconsistent with the provisions of this title, as may be entered into by the Secretary and such State agency, for the purpose of assisting summer youth centers of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children between the ages of 3 and 18, inclusive, and (2) nonfood assistance in furtherance of the special summer lunch program for children authorized under this title. Such payments to any State in any fiscal year shall be made upon the condition that an amount equal to not less than 10 per centum of such payments will be matched during such year from sources within the State determined by the Secretary to have been expended in connection with the special summer lunch program for children carried out under this title. For the purpose of determining whether the matching requirements of this section and section 210, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the appropriate State agency and in case of summer youth centers receiving funds pursuant to section 210, by such summer youth centers (but not the cost or value of land, of the acquisition, construction, or altera-



tion of buildings or commodities donated by the Secretary, or of Federal contributions, or the cost or value of any facility paid for in whole or part with funds counted as matching funds under the National School Lunch Act), may be regarded as funds from sources within the State expended in connection with the special summer lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

*"State disbursement to summer youth centers"*

"SEC. 208. Funds paid to any State during any fiscal year pursuant to section 204 or 205 of this title shall be disbursed by the appropriate State agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the summer youth centers in the State, to those summer youth centers in the State which the State agency, taking into account need and attendance, determines are eligible to participate in the special summer lunch program for children authorized by this title. Such disbursement to any summer youth center shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the special summer lunch program for children and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any summer youth center for any fiscal year exceed an amount determined by multiplying the number of lunches served in the summer youth center under the special summer lunch program for children during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

*"Nutritional and other program requirements"*

"SEC. 209. Lunches served by summer youth centers under this title shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the summer youth center because of his inability to pay. Lunch programs under this title shall be operated on a nonprofit basis. Each summer youth center shall insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the summer youth center area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to summer youth centers, in accordance with the needs as determined by local authorities, for utilization in the special summer lunch program under this title.

*"Nonprofit private summer youth centers"*

"SEC. 210. If, in any State, the appropriate State agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private summer youth centers in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private summer youth center, the Secretary shall withhold from the funds apportioned to any such State under sections 204 and 205 of this title an amount

which would otherwise be made available, as determined by the Secretary, to such State on account of such nonprofit private summer youth centers in the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private summer youth centers within such State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to other summer youth centers within the State by the appropriate State agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 207 for such State, by funds from sources within the State expended by nonprofit private summer youth centers within the State participating in the special summer lunch program for children under this title. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 207.

*"Miscellaneous provisions and definitions"*

"SEC. 211. (a) States, the appropriate State agencies, and summer youth centers participating in the special summer lunch program for children under this title shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this title are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines necessary.

"(b) The Secretary shall encourage, and in cases in which he determines appropriate, require as a condition of eligibility to participate, the use of existing facilities utilized for serving lunches under the national school lunch program.

"(c) The Secretary may, during the first fiscal year in which a program is in effect under this title, make such adjustments as he deems appropriate in order to provide for the effective and equitable administration of this title.

"(d) The Secretary shall incorporate in his agreements with the appropriate State agencies the express requirements prescribed in this title with respect to the operation of the special summer lunch program for children insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this title.

"(e) For purposes of this title—

"(1) The term 'State' means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

"(2) The term 'appropriate State agency' means the agency or body of the State designated by the State legislature to administer in the State the special summer school program authorized by this title.

"(3) The term 'private nonprofit' as applied to any of the summer child centers described in section 204 of this title means a summer child center operated by a private school or organization exempt from income taxes under section 501(c)(3) of the Internal Revenue Code of 1954.

"(4) The term 'nonfood assistance' means equipment used by summer youth centers in storing, preparing, or serving food for children under this title."

Amend the title so as to read: "A bill to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, and to provide for a special summer lunch program for children".

The PRESIDING OFFICER. Who yields time?

Mr. RIBICOFF. Mr. President, I yield 5 minutes to myself.

Mr. President, I ask unanimous consent

that the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], and the Senator from New York [Mr. KENNEDY] be added as co-sponsors to amendment No. 637.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, first, let me commend the distinguished Senator from Louisiana and his committee for bringing to the Senate an outstanding and humanitarian bill to improve nutrition, the school lunch programs, and the special school milk programs as we have known them in the past.

I fully support the Child Nutrition Act as it was reported to the Senate. It is an excellent bill and provides much-needed improvements in our existing national school lunch program and special milk program.

One notable feature of this bill is the initiation of a pilot breakfast program. This would give help to the many needy children who start the day hungry, and so have a painful time doing a morning's work.

My amendment recognizes the fact that despite the excellence of the school lunch program, hunger takes no vacation. My amendment would establish a special summer lunch program for young people throughout the land—young people from 3 to 18 years old. Those children who could pay for their lunches would do so. But for the almost 2 million who cannot, the program would spell the difference between hunger and health.

Our excellent school lunch program, improved by this bill, recognizes and helps our needy children 9 months of the year. But a child's need to eat does not disappear when school is out for the summer. These hungry children do not simply disappear when our schools close in June.

During the academic year, the lunch program, authorized under the National School Lunch Act, provides nourishing food to elementary and secondary school students in their schools. My amendment would complement the regular program. It would permit public recreation centers—public or private nonprofit day camps—public or private nonprofit neighborhood child centers—public or private nonprofit summer camps—or any other public or private nonprofit activity organized to promote the health or recreation of children—to serve lunches to children during summer recesses.

Such a summer lunch program is badly needed. During the 3 months of the year when children do not attend school, they should have the nutritional advantage of at least one decent, well-balanced meal a day.

We are discussing children here, not statistics. But statistics tell us the extent of the need.

Although most students who now get lunches when school is in session pay for their food and so bear a substantial part of the cost of this program, about 10 percent of all students in participating schools are unable to pay the price of lunch. The percentage in the cities runs much higher. The children in the nationwide 10 percent receive their meals free, or at a reduced cost.



This year, over 18 million children were receiving lunches under the National School Lunch Act. Almost 2 million of these received their lunches at little or no cost. The questions that haunt our national consciences are these: How are they getting fed when schools are not in session? How are they getting fed in the summers—on the weekends—and during holidays? What do they do for breakfast or for dinner?

In many communities, especially in the schools in the slums, children drag themselves to school when they are ill—just to pick up their lunches. Children have been known to take their lunches and sneak away from school at midday—so their brothers and sisters at home could have a bite or two of decent food. Children have been known to race to school early to get to the teacher first and reserve any lunches that may be left over from schoolmates who are absent. I am deeply grieved that any American child be so deprived.

Throughout our land, children are going hungry during school except for school lunches. And once school is out of session, they just plain go hungry. This is the largest single justification and a clearly indisputable argument for extending the regular school lunch program to cover the out-of-school summer activities of young children, particularly those in need.

I do not think we show much respect for the facts—or compassion for the hunger of children—or commonsense as to what is good for the Nation's future—if we accept our responsibilities to our needy youngsters only during the 180 or 190 days a year when school is officially in session. For although the schools take a vacation, young stomachs—and hunger—do not.

In the last few years, this Nation has shown a new awareness of the persistence of poverty in the midst of abundance. We have realized too that the young—the children of the poor—constitute a disproportionate percentage of all the poor. Experts estimate that some 17 to 23 million young people—or from one-fourth to one-third of all our children—are growing up in deprivation.

Poverty breeds ignorance, crime, and disease. People who are hungry are more apt to steal, get sick, and turn their backs on learning. Let us do the reasonable thing. Let us put a stop to hunger. Let us take every possible step to unravel the fabric of poverty in our land.

Summers are always an especially restless time in our slums. Children with free time on their hands—hungry children—often get into trouble. Of course, making lunches available to such children during the long, hot summer is not by itself going to solve this problem. Yet it is one of the many steps that can be taken to improve the outlook and stimulate the hope of those who feel they have nothing to lose and everything to gain by violence and lawlessness and contempt for society.

Under the summer program I am proposing, States will be generally required to match every \$1 of Federal expenditure with 10 cents from State sources.

For those with a pragmatic turn of mind, we can find economic justification for the program I propose—as well as moral and social grounds. This program would reap a veritable harvest of benefits—benefits far in excess of the Federal money and surplus food involved.

Let us look at a few: Strong, well-fed youth; more income for the farmer; huge market for food trades; jobs for lunchroom personnel; constructive outlet for abundant commodities; and, of course, well-nourished students, receptive to continued instruction.

And consider the other benefits which might arise from a summer lunch program. Children who ordinarily would play listlessly on the streets or roam aimlessly in slum neighborhoods might go to wholesome recreational activities at public playgrounds and day centers. Summer day centers, especially in low-income neighborhoods, are an important barrier to antisocial activity. We already have evidence that with the additional attraction of needed free lunches, such playgrounds and centers will be used more broadly and constructively.

In the past, school lunch programs generally have not been extended through the summer months for two reasons. First, under existing legislation, attendance at a school or at activities described by local educational agencies as school activities is a requirement for participation in the school lunch program. Second, the amount of Federal money available to the States under the present program is not enough for them to set up lunch programs during the summer.

My amendment conceives the summer lunch program as part of the war on poverty and not an exclusive school activity. My amendment would provide the funds necessary to make lunches available to children at various recreation centers, as I have outlined. It would include community action programs organized under the Economic Opportunity Act.

The Federal Government has shown itself to be deeply committed to the health and welfare and fitness of its people. Local government and private organizations have shown their willingness and desire to achieve these ends as well. We know, however, that local and private groups have limited resources; they cannot do the needed job alone. The truly American partnership of Federal, State, and local agencies can accomplish what is urgently needed.

The legislation I propose and urge you to support will strengthen this partnership and will serve a highly admirable goal—the health, happiness and well-being of our Nation's children.

It will correct the bill's one basic fault, that it is a 9-month program designed to take care of the health and food needs of children during school months only.

Unfortunately for children, hunger does not take a vacation. Unfortunately for children, hunger is still around during the summer months. Unfortunately, children can be just as hungry in July or August as they can be in March, April, November or December.

We must face the fact that if we are to take care of the health needs of the children of America, we must take care of the health needs of the children all year around.

These youngsters play on the city streets. They wander around aimlessly. They get just as hungry in summer if they lack food and sustenance.

It is true that the school lunch program takes care of some 18 million children. It is also true that my amendment would not take care of all the problems of those 18 million children. But, out of those 18 million who are fed during the 9 months of the school year, approximately 2 million receive their lunches free. They are children whom the school authorities determine to be on the poverty level, who cannot afford to make a contribution to pay for their lunches during the school year. But these children are still hungry, and I think that based on humanitarian and practical principles we should take into account the possibility of feeding them during the summer months.

How would this work out, and how practical would it be?

Last year, I received a call from a volunteer worker in the District of Columbia. She had worked in the school system, among the poverty-stricken children in the District, and she was concerned over the fact that the only square meal many of these children received was during the school lunch period.

I do not know this woman, and I never did get to meet her, but she called me up and said, "Senator RIBICOFF, what happens to children during the summer months?"

I started to look around and make inquiries and found that it is true that these children had nothing to eat. I called various authorities in the District of Columbia. They discovered that they could possibly work something out in the Office of Economic Opportunity, through a community action program. One was started called "Summer Adventures for Youth in the District of Columbia." Part of that program was a day-camp program built around the school lunch program in the schools of the District of Columbia and the recreation areas which served lunches to children. We found that this brought in 8,000 youngsters to be fed. Thus, instead of 8,000 children being on the streets, they were part of an organized recreation program.

These 8,000 youngsters program had a step-up program which evolved to take care of children 6 years old to 15 as against children 3 years old to 6. This year there were some 9,000 youngsters in this particular program being fed out of 50-centers. There were 2,000 block components under block leaders who supervised. We served 9,000 lunches in the District of Columbia.

Therefore, out of commonsense and plain humanity, should we not take into account the basic problem of hungry youngsters?

Hunger does not take a vacation. It is as simple as that.



The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 2 additional minutes.

Mr. INOUE. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am pleased to yield to the Senator from Hawaii.

Mr. INOUE. I should like to commend the Senator from Connecticut for his great leadership in proposing this very important amendment. However, I should like to ask him a question and bring to the Senator's attention this phrase in the amendment, "summer schedule and summer vacation period."

I am certain the Senator realizes that there are several places in the United States where, because of unusual community circumstances, the summer vacation does not necessarily come in June, July, or August. We have one such community in Hawaii where the summer schedule comes in the fall months, when the coffee crop is harvested. Would the Senator's amendment cover those areas where the so-called vacation falls at a time other than the usual summer period?

Mr. RIBICOFF. It is my intent that the amendment cover a situation such as the Senator mentions, or areas in the United States where, because of special circumstances—economic, agricultural, or weather—there is a period substituted for summer as we usually consider it.

I would intend that my amendment cover the situation to allow the lunch program to be extended to that period that is substituted for the normal summer months in a State like Hawaii.

Mr. INOUE. I thank the Senator.

Mr. RIBICOFF. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time for calling of the quorum not be taken out of the time allotted to me.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I ask for the yeas and nays on my amendment. The yeas and nays were ordered.

Mr. HARTKE. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am happy to yield 1 minute to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 1 minute.

#### THE NEED FOR A SUMMER LUNCH PROGRAM

Mr. HARTKE. Mr. President, first, let me compliment the Senator from Connecticut for the introduction of his amendment. I am delighted to join him and hope that the rest of the Senate will join him in adopting the amendment.

Mr. President, I urge the Senate's favorable consideration of the proposal of the distinguished Senator from Connecticut, to amend S. 3467 by the insertion of S. 2121, Amendment No. 637. By the addition of S. 2121, we would establish a special summer lunch program for children in summer youth centers. The special summer lunch program would complement the regular school lunch program by providing lunches free or at reduced cost to children in summer camps and other similar institutions, on the same administrative basis as that of the regular school lunch program, which runs from September to June. I am privileged to cosponsor the bill with Senator RIBICOFF and support his efforts on behalf of the Nation's children.

If the Senate accepts Senator RIBICOFF's amendment, such a step would be an important one toward providing for the adequate nutrition of the Nation's needy children on a year-round basis. We are making continual strides forward in providing for the adequate nutrition of our needy children; programs such as the pilot breakfast and nonfood assistance programs proposed in the bill now under discussion—S. 3467—witness to this fact.

The next logical step is to provide for the nutritional needs of these needy children on a year-round basis. Our concern here is for child nutrition, Mr. President, and children are hungry 12 months a year, not just from September to June. It seems worse than foolish to provide needy children with what often is their only adequate meal of the day for 9 months of the year, and then during the summer months to suspend the concern for their welfare which the school lunch program represents. The special milk program has already set the precedent: It is run on a year-round basis. The rounding out of our child nutrition program seems hardly complete without the inclusion of a summer food assistance program to aid those children who most need our help.

Since he originally introduced S. 2121, Senator RIBICOFF has made two changes in the bill, now offered as amendment No. 637. Both changes are designed to make the measure a more effective instrument in meeting the nutritional needs of the greatest number of children. The first would change the age limits for eligibility for the program from 6 to 16, to 3 to 18 years; the second would increase the appropriation authorization from \$5 to \$8 million. Preschool participants in summer day camps and child care centers could have lunch now, too; so could the high school assistants who help care for the children. The amendments are in the spirit of the entire act, in the spirit of satisfying the hunger of the Nation's children as completely and as effectively as we can.

The Senator from Connecticut has had experience in this general field of providing for those within the realm and sector of the economy who basically, while they do not want to go to charity, need help. With the Senator's background as a Governor, with his background as a member of the Cabinet, as

one who was instrumental in having put through a medicare program, and providing for better administration in the field of welfare, I urge that the Senate adopt his amendment as a great step forward.

Mr. MOSS. Mr. President, will the Senator from Connecticut yield to me?

Mr. RIBICOFF. I yield 1 minute to the Senator from Utah.

Mr. MOSS. Mr. President, I am pleased to join the Senator from Connecticut [Mr. RIBICOFF] as a cosponsor of the amendment which is pending before the Senate. I commend the Senator from Connecticut for his great leadership and his vision in this field, which has been established in the past as the school lunch program and is now being expanded in areas where there is the greatest need.

I think all of us will have to agree with the proposition that children who are not adequately nourished while attending school cannot be expected to accomplish what is needed in the way of educational goals. That should not be so in the great affluent society which we have in the United States.

I think the way has been pointed by the amendment of the Senator from Connecticut by which there can be a great remedy of a deficiency in our program to provide for our children the greatest opportunity possible. We have recognized officially in America that the foundations of this Republic are built on an educated electorate, and we want our children to have the greatest opportunity that it is possible for us to provide.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. I yield the Senator from Utah 1 additional minute.

Mr. MOSS. I gladly support the amendment, and I urge my colleagues in the Senate to support the amendment of the Senator from Connecticut. I think it completes the bill.

I support the bill wholeheartedly. I think it is an important bill to continue the programs we have started upon and to expand and enlarge them in the way pointed by the bill and by the amendment which is pending. Therefore, I strongly support the amendment and urge my colleagues to support it.

Mr. ELLENDER. Mr. President, I yield myself 2 minutes.

For the past hour and a half we have been discussing the school lunch bill. The pending amendment would go far beyond the purposes that are fundamental to our support of the school lunch program. The amendment provides for lunch programs for children attending public recreation centers, day camps, neighborhood child centers, summer camps, or similar youth centers.

These may be good programs, but they do not belong in the school lunch program.

As I pointed out, the school lunch program has been in effect for 20 years and it is confined to schools. It has done a good job because it has been administered at the local level, by the school authorities, and by fathers and



mothers who benefited from the school lunch program.

To extend the program to summer camps might be good, but it would not be good to put it under the school lunch program.

There are programs being fostered by the Office of Economic Opportunity in order to take care of summer camps. The Department of Health, Education, and Welfare has programs in which summer school children are taken care of. Under the special milk program, the Department furnishes milk for its camps.

Let us not put the administration of those programs under the Department of Agriculture and try to do for those programs what is now being done in the schools. The proposed programs are out of school, whereas the school lunch programs are confined to schools.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Would it be possible for the school and local district authorities which are used in the school lunch program and special milk program to distribute the milk under this proposed program in the various centers where children would be gathered away from the school and outside the school?

Mr. ELLENDER. No. As I have said, the school lunch program has been very effective in the past. It is because of the cooperation of the school authorities and mothers and fathers that the program has been effective. The school authorities have nothing to do with public recreation centers, neighborhood child centers, and many other out-of-school programs. I do not believe we ought to confuse and diffuse the highly satisfactory camps we now have by adding programs, the feasibility of which, we have not explored.

I yield such time as he may want to the Senator from Vermont.

Mr. AIKEN. I ask only for such time as I may need for two or three questions about the amendment. First, I want to commend the Senator from Connecticut for having such a worthy objective as wanting to see that children have enough to eat in the summertime. I have noticed that a bill in the House, identical to the proposal of the Senator from Connecticut, was referred to the Education and Labor Committee, where it can very well become an amendment to the poverty program. I believe that is where it should go.

The Senator from Connecticut is now proposing a rather dubious course or route for reaching a worthy objective.

The first question I would like to ask him is how much this amendment will cost.

Mr. RIBICOFF. My amendment will cost one-third of the amount provided for the school lunch program. Since the amount budgeted for 9 months is \$180 million, it is estimated my amendment will cost one-third, or some \$60 million.

Mr. AIKEN. The amendment would take effect on passage?

Mr. RIBICOFF. The amendment would take effect on passage.

If I may reply to the Senator's comments, it is true that it is rather surpris-

ing that the Committee on Education and Labor in the House has reported a separate bill similar to my amendment. It does not give authority to the poverty program, but to the Department of Agriculture. It seems to me it has gotten out of the hands of the Agriculture Committee.

Mr. AIKEN. It provides substantial increases in the poverty program, to be charged to the Department of Agriculture.

The Senator from Connecticut has said his amendment is going to cost \$50 or \$60 million. The amendment provides that \$8 million shall be provided the Secretary for the purpose of providing nonfood items, I suppose stoves, refrigerators, and so forth.

Mr. RIBICOFF. Yes. May I also point out that the administration has already allocated \$8 million in the proposed budget for that purpose.

I point out further, in answer to the query made by the distinguished Senator from Florida, that that is exactly what is intended by the amendment, that this will be administered by the Department of Agriculture and the agricultural authorities who understand the problem.

I point out to the distinguished Senator from Vermont that the report of the House Committee on Education and Labor gives the authority, not to the poverty program, but to the Secretary of Agriculture.

So we are being whipsawed here, because of the failure to recognize that this is the obligation of the Department of Agriculture. The Department of Agriculture has the knowledge, the ability, and the experience, and what I am trying to prevent is the setting up of another bureaucracy, at great cost, to administer a summer lunch program.

The Department of Agriculture has the experience with summer lunch programs, and I see nothing sacred in the title, the name of a bill, "The School Lunch Program." We are talking about hungry children; we are not talking about the name of a program. If hungry children can be fed in the summertime through the mechanics and the organization of the school lunch program, why cannot the U.S. Senate forget the name and see that hungry children on vacation are fed? They are just as hungry in July and August as they are in March and April.

Mr. AIKEN. Has that bill passed the House?

Mr. RIBICOFF. No, it is before the Rules Committee now.

Mr. AIKEN. When it passes the House and comes to the Senate, I think the Senate should put it in its proper perspective. I agree with the Senator from Connecticut that the Department of Agriculture is far better equipped to handle these programs.

But I hope that Senators, before they vote on the amendment of the Senator from Connecticut, will keep in mind that they will be taking \$40 to \$50 million out of the school lunch program to operate the summer lunch programs. I am not opposed to summer lunch programs, I want the Senator to understand that. I am opposed to the proposed method of doing it.

The House has approved \$157 million for the school lunch program this year. The Senate has increased that figure by about \$10 million.

The question is, do we want to take at least one-third away from the school lunch program to operate a summer program, no matter how worthy it is? That is one of the questions. We should understand that to the extent we appropriate for this other program, we are taking away from the school lunch program itself.

I have one other question—at least one, perhaps two.

Mr. RIBICOFF. May I answer the question on appropriations first for the distinguished Senator?

Mr. AIKEN. Yes.

Mr. RIBICOFF. This will not take money away from the school lunch program. This is an authorization, and the Appropriations Committee will have to appropriate. Basically, the \$60 million—

The PRESIDING OFFICER. All time has expired.

Mr. RIBICOFF. Has time on the bill expired?

Mr. AIKEN. Is there time remaining on the bill?

The PRESIDING OFFICER. There is no time remaining on the bill.

Mr. AIKEN. No time remaining on the bill?

I ask unanimous consent that we may have an additional 10 minutes, because I assumed there was time remaining on the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Vermont? The Chair hears none, and it is so ordered.

Mr. RIBICOFF. The Senator from Vermont made the query as to what the summer program would cost. I made the point that I was estimating the \$60 million from the \$180 million allocated for the 9 months for the school lunch program; I assumed that for 3 additional months, the cost would be about an additional \$60 million. But the additional \$60 million would not come out of the \$180 million; it would have to be appropriated by the appropriations committee.

Obviously it would not be this summer. By the time it gets through the Senate, through the House, and through conference, we will be into another school year. We are now talking about the summer of 1967, instead of 1966.

So we will not be taking any money out of the normal school lunch program. We are talking about an authorization for the summer of 1967, for which the money would have to be appropriated.

Mr. AIKEN. But the cost of this program will come out of the appropriation for the school lunch program.

Mr. RIBICOFF. No; only if the appropriations committee and Congress so funded it.

Mr. AIKEN. The bill which is now before us, which the Senator proposes to amend, has a limit.

Mr. RIBICOFF. No, there is no limit. "For each fiscal year there is hereby authorized to be appropriated."

Since this summer is nearly over, we cannot use the money now, because it



will not be the law during the summer of 1966. It will only take effect for the summer of 1967. This is an authorization for the summer of 1967 and beyond. What will have to happen is, the appropriations committee will have to appropriate for the summer of 1967.

Mr. AIKEN. But the Senator's amendment would take effect immediately.

Mr. RIBICOFF. No, it would not. It would have to take effect in the summer of 1967, because it will not become law during the summer of 1966. This provision would have to be passed by the House, and then would have to go to conference, and could not become law this summer. It would therefore take effect the summer of 1967.

Mr. AIKEN. It was my understanding that it was to take effect on passage.

Mr. RIBICOFF. That is also my understanding. Only when the bill becomes law.

Mr. AIKEN. Another question. The Senator understands, does he not, that the Federal Government pays 20 percent of the cost of the school lunch programs?

Mr. RIBICOFF. That is correct.

Mr. AIKEN. The Senator's amendment provides that the Federal Government pay 90 percent of the cost of the summer programs.

Mr. RIBICOFF. That is correct.

Mr. AIKEN. So the percentage to come out of the school lunch program would be that much heavier for the summer programs.

Mr. RIBICOFF. Again may I say, we do not understand one another. The RECORD should be made clear: It is my intention that the summer lunch program will not in any way come out of the appropriations, for the normal school lunch program. This is an amendment setting up a special program for feeding children during the summer months. It is not to come out of the normal school lunch program, but only out of the summer lunch program, which will have to be funded by appropriations by the proper appropriations committee.

Mr. AIKEN. The Senator is getting me confused, if not himself, because his amendment says the State shall pay not less than 10 percent for the summer lunch program. The States pay 80 percent of the cost of the school lunch programs.

Mr. RIBICOFF. But this is a separate program, and is an amendment to the bill that is before us.

Mr. AIKEN. Then, in the Senator's opinion, this program is a far more important program than the school lunch program, in that the Federal Government should pay 90 percent of this cost, and only 20 percent of the cost of the school lunch program?

Mr. RIBICOFF. I do not think it is more important, but if it will change the Senator's point of view, I will be glad to accept an amendment to make it 20 percent and 80 percent.

Mr. AIKEN. Twenty percent for the Federal Government?

Mr. RIBICOFF. Eighty percent for the Federal Government and 20 percent for the States.

Mr. AIKEN. That would only be four times as much cost to the Federal Government as the school lunch program?

Mr. RIBICOFF. This is a program for the summertime, and we recognize the basic need.

Mr. AIKEN. This program is intended to bolster the poverty program, and that is all there is to it.

Mr. RIBICOFF. May I say to the distinguished Senator, this program is intended to feed hungry children in the summertime. It is as simple as that.

Mr. AIKEN. It is a very worthy objective, and if it comes before the Senate in the proper form, I shall be delighted to support the Senator.

Mr. RIBICOFF. I say the proper time is now, when children are hungry.

The PRESIDING OFFICER. All time has expired.

Mr. AIKEN. I ask unanimous consent that I may have 5 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. AIKEN. No funds from the Federal school lunch program can be dispersed to segregated summer camps; is that correct?

Mr. RIBICOFF. That is correct.

Mr. AIKEN. We have in my State summer camps, for example, for girls of certain classes. They would not be eligible?

Mr. RIBICOFF. This is for nonprofit summer camps. If the Senator has a camp in his State which is a profit-making venture, this program would not apply at all. It is for nonprofit camps. I am thinking of charity camps, such as are run all over the country by different charitable organizations.

Mr. AIKEN. But they would have to be nonsegregated in order to qualify for Federal assistance?

Mr. RIBICOFF. That is correct.

Mr. AIKEN. Just one more question—

Mr. RIBICOFF. And I believe funds for a school lunch program cannot be paid, at the present time, to segregated schools.

Mr. AIKEN. And I voted for that, too.

Mr. RIBICOFF. That is correct.

Mr. AIKEN. One further question: If a State decides not to go into this summer camp business, the Federal Government then could bypass the State and deal directly with a community or a group?

Mr. RIBICOFF. No. It would have to be done through an agency set up by the State itself. If the State does not set up an agency, the Federal Government cannot come in and administer the program separate and apart from the State.

Mr. AIKEN. Section 210 of the amendment of the Senator states:

If, in any State, the appropriate State agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private summer youth centers in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private summer youth center, the Secretary shall withhold from the funds apportioned to any such State under sections 204 and 205 of this title an amount which would otherwise be made available, as determined by the Secretary, to such State on account of such nonprofit private summer youth centers in the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private summer

youth centers within such State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to other summer youth centers within the State by the appropriate State agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 207 for such State, by funds from sources within the State expended by nonprofit private summer youth centers within the State participating in the special summer lunch program for children under this title.

If that does not authorize the bypassing of a State, I do not know what it does. It does provide that if the people of the community or the church running the camp schools desegregate and contribute up to 10 percent of the funds, the Federal Government will pay 90 percent.

Mr. RIBICOFF. I know that, especially in a State like Vermont or Connecticut, there are many communities and organizations, be they the YMCA or any of the various church groups, or the New York Herald Tribune Fresh Air Fund, or the Hartford Times Fund for Children, which run camps for children.

Let us say that the State of Vermont does not feel that it has any obligation to take care of children from Boston or New York who come to a charitable camp. Perhaps some youngsters come from the slums of Harlem. Under those circumstances, if the State of Vermont does not want to put up the 10 percent, I think it only fair that, if the charitable organization puts up 10 percent of the funds to feed the hungry children, the Secretary of Agriculture should provide funds. We are talking about hungry children.

It is a different situation than if Burlington, Vt., or Hartford, Conn., had a recreation center in which the State participated.

We are talking about the many camps that are run by eleemosynary institutions all over the country. There is no reason why the State of Vermont should put up its funds to feed these people.

Mr. AIKEN. Mr. President, I wanted to clarify the position of whether the Federal Government should be permitted to bypass a State government.

Mr. RIBICOFF. Under those circumstances the Secretary could make arrangements with the charitable organization.

Mr. AIKEN. I think he could, too. The Senator from Connecticut has a very kind motive and worthy objective. If he were to take the proper approach to achieve his objective, I would help him.

Mr. RIBICOFF. Mr. President, I yield 1 minute to the Senator from West Virginia.

RANDOLPH COSPONSORS RIBICOFF SUMMER LUNCH PROGRAM AMENDMENT TO CHILD NUTRITION ACT

Mr. RANDOLPH. Mr. President, it was my privilege to be a cosponsor of S. 2121, the original bill introduced by the distinguished Senator from Connecticut to create a summer lunch program; and I am honored today to join with him again in offering a slightly revised version of this bill as an amendment to S. 3467, to amend the National School Lunch Act.

At present, at least 191,663 children in West Virginia benefit during the



school year from the assistance given under the National School Lunch Act. But the school year ends in June and does not begin again until September. In the intervening summer months, while many of these children are remembered by State, local, and Federal agencies through recreational and educational programs, they are forgotten in terms of their physical nourishment. This amendment would help to alleviate the inequity of the present situation.

Surely, if we can substantiate the need for a school program by pointing out, as the Committee on Agriculture and Forestry did in its report—

There is no question but that thousands of children arrive at school hungry and this inevitably affects their span of attention and conduct. . . . In urban areas, thousands of children are in families where the mother must leave for work long before the children leave. . . . Breakfast tends to be a neglected meal—

Then we can substantiate the need for a program to feed those who are daily engaging in community recreational activities. If a child is too hungry to sit still in a class daily, he or she is certainly too hungry for supervised daily exercise.

I urge Senators to join with us in adopting an amendment to the bill which, while relatively inexpensive, is designed to meet a very pressing need.

Mr. RIBICOFF. Mr. President, I yield 1 minute to the Senator from New York.

Mr. KENNEDY of New York. Mr. President, I am glad to have the opportunity to join the distinguished Senator from Connecticut in cosponsoring his amendment to provide summer lunches for those children who would otherwise not receive an adequate meal.

This is an important amendment because it extends to the summer months assistance that we provide during the rest of the year. We have already recognized our responsibility to assist certain children during the 9 months of the year that they attend school. Both as a matter of logic and as a matter of compassion school lunches should be provided during the vacation period.

Senator RIBICOFF has suggested that the summer lunches to be authorized by this amendment can be provided through public and private summer schools and others groups and associations caring for children during the summer months. Many of the same institutions that provide lunches during the school year would continue to provide these lunches during the summer under the new program.

We have agreed in the past that the hungry child unable to afford a decent meal is not responsible for this situation. And we have acted to remedy this with an effectively administered school lunch program. The school child may take a vacation from school, but he does not take a vacation from hunger.

I strongly support this amendment and urge my colleagues to vote for it.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Connecticut. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the Senator from Illinois [Mr. DIRKSEN]. If present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Wyoming [Mr. MCGEE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from New Jersey [Mr. WILLIAMS], are necessarily absent.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON], are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. MCGEE], and the Senator from New Jersey [Mr. WILLIAMS], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Wyoming [Mr. SIMPSON] is necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

The Senator from Illinois [Mr. DIRKSEN], and the Senator from Massachusetts [Mr. SALTONSTALL], are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "nay."

The pair of the Senator from Illinois [Mr. DIRKSEN] has been previously announced.

The result was announced—yeas 37, nays 42, as follows:

#### [No. 134 Leg.]

#### YEAS—37

Bartlett	Hartke	Montoya
Bayh	Inouye	Morse
Bible	Jackson	Moss
Brewster	Javits	Muskie
Burdick	Kennedy, Mass.	Neelson
Byrd, W. Va.	Kennedy, N.Y.	Neuberger
Case	Long, Mo.	Proxmire
Church	Magnuson	Randolph
Douglas	McCarthy	Ribicoff
Gore	McGovern	Tydings
Griffin	McIntyre	Yarborough
Harris	Metcalf	
Hart	Mondale	

#### NAYS—42

Alken	Fong	Mundt
Allott	Fulbright	Murphy
Bennett	Hickenlooper	Pearson
Boggs	Hill	Prouty
Cannon	Holland	Russell, S.C.
Carlson	Hruska	Smith
Cooper	Jordan, N.C.	Sparkman
Cotton	Jordan, Idaho	Stennis
Curtis	Kuchel	Talmadge
Dominick	Lausche	Thurmond
Eastland	Long, La.	Tower
Ellender	Miller	Williams, Del.
Ervin	Monroney	Young, N. Dak.
Fannin	Morton	Young, Ohio

#### NOT VOTING—21

Anderson	Hayden	Russell, Ga.
Bass	Mansfield	Saltonstall
Byrd, Va.	McClellan	Scott
Clark	McGee	Simpson
Dirksen	Pastore	Smathers
Dodd	Pell	Symington
Gruening	Robertson	Williams, N.J.

So Mr. RIBICOFF's amendment was rejected.

Mr. ELLENDER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment, in the nature of a substitute.

The committee amendment, in the nature of a substitute, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. ALLOTT. Mr. President, the special milk program for schoolchildren has been in operation since 1954, and it has been received with the enthusiastic support of the school systems and other participating outlets. It is a program of proven worth.

At a time when a high percentage of young Americans cannot meet the physical qualifications of the military services because of defects traceable to nutritional deficiencies, earlier efforts by the administration to drastically cut back the funding of this program were, in my opinion, "penny wise and pound foolish." The requested budget cut of \$82 million in the special milk program would deny supplemental milk to about 80 percent of our schoolchildren, who are now benefiting from this program.

Last year we enacted the Elementary and Secondary Education Act, which authorized more than \$1.3 billion in the first year in aid to school systems to feed the hungry minds of the young, and we know that the program will be expanded in subsequent years. It seems incredible that efforts should now be made to seriously cripple a program that is designed to feed the hungry bodies of the young.

The value of this program to the health and dietary habits of schoolchildren is well recognized by school authorities. Increased school attendance and an improved approach to learning are among some of the benefits observed by teachers and school administrators. Obviously, a higher rate of school attendance and an improved learning attitude are factors essential to achieving maximum benefits from our expenditures under the Elementary and Secondary Education Act. It is false economy to spend billions to improve the quality of our primary and secondary educational systems, and at the same time cut back drastically on a program that has proven its worth in getting the child to school in a receptive frame of mind.



We have heard much about poverty in the past 2 or 3 years. In the final analysis, the only truly effective weapon against poverty is education and training, for it is only through education and training that we can hope to achieve lasting results in our efforts to combat poverty. To that end, the special milk program can be an effective tool in helping children obtain basic education—a prerequisite for job training—by improving learning attitudes and increasing school attendance.

The House Appropriations Committee, in its report on the fiscal year 1967 agriculture appropriations bill, pointed out that the special milk program has been so successful that it has been adopted in many other countries. Dried milk in large quantities has been shipped overseas under Public Law 480, our food-for-peace program, for use in the schools in those countries which we are supplying aid. Should we do less for our own children?

According to departmental figures, 85,929 schools and 6,076 child-care institutions and summer camps participated in this program last year, and about 3 billion half pints of milk were made available and consumed. In my own State of Colorado, there were 1,200 participating outlets, dispensing nearly 27 million half pints of milk under this program. These figures are mute evidence of the success of the program, and while I am sure that the program can be improved, the fact is that milk, whose high nutritional value has been recognized by physicians and dieticians for generations, has been getting into the stomachs of our children in greater quantities as a result of the special milk program. It is difficult to argue with success, and this program has been a success. Because of the demonstrated success of that program, I was happy to join with 62 of my colleagues in sponsoring S. 2921, a bill which would make the special milk program a permanent program.

Essentially, the provisions of S. 2921 have been incorporated into and made a part of the measure we have before us today, as section 13. The special milk program would be made a permanent program, and the Secretary would be required to administer the program in the same manner as it has been administered in the past. This requirement, coupled with the increases in authorization provided, makes the intention of Congress clear—that the program is not to be changed.

While section 13 of S. 3467 would only expand the special milk program to a minor degree, in my opinion, it would be money well spent, for who can put a price tag on the health and well-being of our children? I know of no better investment that this country can make—it is an investment in the future.

Mr. President, I ask for the yeas and nays on the bill.

The yeas and nays were ordered.

Mr. HARRIS. Mr. President, the bill we are considering today, as reported by the Senate Committee on Agriculture and Forestry, is, I feel, one of the most important pieces of legislation we will consider during this session of the Con-

gress. It involves the health of the schoolchildren of our country.

Many of us in the Congress were very disturbed when the administration budget recommended cuts in the school lunch and special milk programs. This would have been a poor place to have made cuts in expenditures.

I am especially proud, therefore, to have had an opportunity to lend my support to this legislation, designed to assure a balanced and nutritional diet for our school-age children. S. 3467 will extend the National School Lunch Act, one of the great programs of our country, and will guarantee that the less fortunate children attending our schools will have at least one, and in some instances two, nutritional meals per schoolday.

I am especially happy that the committee has included in this bill a section which will extend the special school milk program through 1970, and which will provide for adequate funding of the program up to a maximum of \$120 million per year. With the extension of this program through 1970, we will make it possible for school administrators throughout the country to plan adequately to provide milk for our schoolchildren. I was a cosponsor of the Proxmire bill to do this, S. 2921.

Also, I am very glad that the committee has included in this bill a new pilot program to provide breakfast under the school lunch program. This pilot program is designed to operate in those school systems which are located in areas of very low economic condition and in those areas where children must ride long distances from their homes to school.

I am also happy, Mr. President, that the bill we are considering provides for a nonfood assistance program. This program is designed to assist those schools located in areas of depressed economies, which are not now able to provide a school lunch program due to a lack of adequate facilities, to acquire adequate facilities to prepare meals for their school lunch programs.

Mr. President, by the enactment of this bill we will be accepting our responsibility to assure that in a great nation of abundance little children will not have to suffer from hunger and malnutrition. The enactment of this measure moreover, will be a real tribute to the productive capacity of American agriculture.

I commend the most able chairman of the committee, the distinguished Senator from Louisiana [Mr. ELLENDER], and the entire Committee on Agriculture and Forestry for the fine job they have done on this legislation. I trust the bill will be speedily and overwhelmingly passed by the Senate.

Mr. BAYH. Mr. President, it is a pleasure for me to support S. 3467, the Child Nutrition Act. As reported recently by the Committee on Agriculture and Forestry, this bill would do much to strengthen and expand food service programs for our children. The committee, and especially its chairman, Senator ELLENDER, is to be commended for this forward-looking, much needed legislation.

I wish especially today, Mr. President, to call attention to section 15, which would provide for assistance to schools for food service facilities. Although the National School Lunch Act has authorized such assistance for some years, it has not been properly funded nor has congressional plans been made clear. This bill would authorize such aid on a project basis where specific need can be demonstrated.

Despite the rapid expansion of the school lunch program in the last 20 years, there are large numbers of children who do not receive the type A or a complete lunch at school each day—and many of these children are those who need it the most. These 9 million youngsters, a significant proportion of whom are in the needy category attend schools where lunch facilities are not available. Frequently, the school which have been unable to have a lunch program are small ones, located in rural areas. The same problem exists in the older schools in the economically distressed areas of our cities where limited financial resources make it impossible to provide a lunch service. In contrast, the wealthier suburban areas have been able to finance a lunch program in their schools.

This lack of food service facilities is not a problem which exists in only a few States or in only a few areas. Rather, it is an extensive problem and steps need to be taken to help provide food service in these schools where the local communities need this help.

Since the national school lunch program is locally oriented, the responsibility for providing food service equipment is likewise a local one. However, many of the economically distressed areas are not financially able to bear the whole of this burden. Further, educators have found that "you cannot teach a hungry child"—and the noticeable improvement in attendance, attention span and academic achievements when a lunch service is initiated attest to the validity of this principle.

It is for these reasons, therefore, that I firmly believe that every school child regardless of his parent's income or his neighborhood should have the opportunity to have an adequate nutritious school lunch and strongly support the inclusion of section 15—to assist the schools in low-income areas to acquire food service equipment.

This section does not completely relieve the local community of either its financial responsibility or its social obligations for providing nutritious lunches to its children. To the contrary, it contemplates the supplementation of the Federal funds because one-fourth of the cost of any new food service equipment must be borne locally. Also involved is the determination of local needs, the development of a project type application, and justification of need for such assistance by the community.

Mr. CANNON. Mr. President, I enthusiastically endorse the amendments to the National School Lunch Act proposed in S. 3467. I especially applaud the extension of the special milk program and the Agriculture Committee's emphasis that this vital program should be



administered as it has been in the past. The authorizations—essentially as stipulated in S. 2921, which I cosponsored—signify an adequate level of funding for a program that has contributed significantly to the improvement of child nutrition throughout the country. In Nevada, these authorizations mean that school children in 189 public school attendance areas will continue to receive, at reduced cost, 500,000 one-half pints of whole fluid milk monthly.

This program has been immensely successful in my State and other States since its inception in 1954. It is therefore appropriate that it be included as part of the total, coordinated child nutrition program in the legislation before us. A major part of this coordinated program is the national school lunch program. As specified by the committee, this highly successful program will continue to be operated along the same lines as in the past. It will therefore enable 19,083 Nevada children in 112 public school attendance areas to continue to receive well-balanced lunches.

The benefit of nutritious lunches and milk for schoolchildren is irrefutable: regardless of their family income bracket, children with hungry stomachs must be fed so that their hungry minds can learn. Schoolchildren, however, are not the only beneficiaries of this legislation.

As stated in the committee report, the school lunch program also increases the market for American farmers. Of particular importance is the market provided for the American dairy farmer by the special milk program: the milk consumed under this program represents almost 3 percent of all nonfarm consumption of fluid whole milk. This is not a negligible factor in an enterprise that is vulnerable to marginal swings in production.

Mr. President, for the benefit of the Nation's schoolchildren and the dairy industry, I urge the passage of this important bill.

Mr. TOWER. Mr. President, for some years now, a highly successful program of assistance to schools for school lunch programs has been in effect. The genesis of this program was in the 1930's, when the Department of Agriculture was given authority to donate surplus foodstuffs to schools so that needy children could be supplied free lunches.

The program has evolved since that time with the major change coming in 1946 at the time of passage of the National School Lunch Act, which provided for continuity of the program regardless of the particular market situations for farm products as they vary from year to year.

That the program has been successful and has accomplished a definite good is incontestable. Responsibility for the program administration was left at a State level and at a local school board level. Therein, I think, lies one important reason for the success of the program. The wiser decision followed, in a number of instances, when it was left to the discretion of local boards, school officials, and parents and teachers associations.

Before the Senate today is a bill which would expand the program by incorporating new programs, including a special milk program.

I am a cosponsor of S. 2921, a bill which would provide and make permanent a national program to make surplus milk available to needy school children.

The present legislation has been revised from its original form so that the program provided for in S. 2921 has been substantially embodied in this bill. Those provisions which have worked so well in the present program are retained in this bill.

The benefits to needy children are obvious. Although this is the primary objective of the Child Nutrition Act, farmers will benefit in that there will be an increased market for meats, poultry, eggs, fruits, and vegetables, and milk and dairy products. It is estimated that the program will provide a total annual business of about \$1.5 billion for farmers and ranchers. Federal contributions account for only 20 percent of this amount.

It is also significant that local merchants who provide the food and services for the program are major beneficiaries.

This seems a deserving and worthwhile program, Mr. President, which has a history of successful administration. I supported the special milk program proposal, and I support and will vote for this worthy legislation. I urge my colleagues to vote for the bill.

Mr. HARTKE. Mr. President, a comprehensive program for child nutrition—S. 3467.

Mr. President, I urge the Senate's favorable consideration of S. 3467, as amended by the Senate Agriculture Committee. The present welfare of the Nation's schoolchildren is a subject of overwhelming importance to all of us, for it will help determine the future welfare of the entire Nation. The bill as amended will, I believe, be a significant step in the effort to insure an adequate standard of nutrition for all children, regardless of the parents' economic status.

The pilot breakfast and nonfood assistance programs are aimed specifically at insuring that no needy child face the prospect of attempting to learn on an empty stomach. These proposals go far toward equalizing the very opportunity to learn—and surely the equal opportunity to learn is the basic ingredient in the operation of any democratic system.

I am especially concerned with the special milk program section 13, of the bill, now under consideration. In the 11 years of its existence, the special milk program has provided milk free or at reduced prices to literally millions of schoolchildren. This concrete investment in the Nation's future cannot be jeopardized, either by uncertainty of continuance or by inadequate funding.

It was my fear, earlier in the year, that both of these eventualities would in fact come to pass in the original, unamended version of S. 3467, which extended the program for 4 years and established a ceiling of \$100 million—a ceiling inadequate to provide for projected program expansion in the future.

In the face of these threats to the program's future I cosponsored a bill introduced by the distinguished Senator from Wisconsin, Senator PROXMIRE. The bill, S. 2921, would establish the special milk program on a permanent basis with minimum appropriations guidelines.

I was pleased to see that the Agriculture Committee amendments, while they do not duplicate Senator PROXMIRE's proposal, come within my expectations and assure us that the needed expansion of the program will take place. Appropriations guidelines of \$110 million for fiscal year 1967; \$115 million for 1968; and \$120 million for fiscal years 1969 and 1970 have been established as Federal appropriations ceilings. Thus the continued operation of the program along its present lines—lines which have proven so successful over the past 11 years—is further insured. The Secretary of Agriculture is required by S. 3467 to administer the program as closely in line with past policies and practices as is feasible.

I urge the Senate's approval of S. 3467, the Child Nutrition Act, which is so important to the welfare of our Nation's children and the future of our country. I commend Senator PROXMIRE for so successfully guiding the effort to insure the continued success of the special milk program.

Mr. McGOVERN. Mr. President, I would like to express my strong support for S. 3467. The bill reaffirms the confidence of the Congress in the approaches, administration, and operation of the 20-year-old National School Lunch Act. The lines of administration remain intact for the new proposals—from the U.S. Department of Agriculture through the State educational agency to the local school. Local school boards retain the basic operating responsibility. There will be required the same kind of sustained local initiative and support that is so essential to a sound lunch program. In the case of the breakfast program, there will be nutritional standards that eligible schools will agree to meet as a condition of Federal support. They have been doing this for years under the lunch program and have found these standards to be reasonable and helpful.

I want to emphasize particularly that these new programs do not mean a reduction in the old school lunch program, or in the special milk program funds. Proposals to cut them have been defeated and that fact has now been accepted. The act before us extends the milk program for 3 years beyond next June 30. The school lunch program is expanded to provide greater assistance to the children of needy families, facilities for serving food where a school district cannot afford them, and school breakfasts where need exists.

Local school authorities will determine those students who can afford to pay little or nothing for food service at school. They are urged to consult with local health and welfare authorities to the extent possible to assure that they are reaching the neediest children. This is nothing new. The schools have been



doing this under the school lunch program for 20 years in a limited degree. Wherever these programs are in operation, they are open to all children and those who can afford to pay the price of the meal are expected to do so.

Most of the food for the breakfast program and all of the milk for the milk program will be purchased from local merchants and the same will be true of the equipment procured to initiate or expand food service.

Right now, the national school lunch program is a \$1.5 billion big business that is handled by thousands of small businesses from coast to coast. The Federal Government pays only about one-fifth of the cost. The people who manage these lunch programs are serious and dedicated and they can be expected to apply their skills and talents to make effective use of the new activities we are making available to them. They know and understand the importance of good nutrition for children and they know and understand how to go about providing this good nutrition. This sounds easy, but it is not. There are the day-in, day-out problems of menu planning, food storage and sanitation and budgeting to provide an attractive meal at the lowest possible cost.

Our school lunch and milk programs are this Nation's finest insurance of a strong, healthy, mentally alert generation of young Americans. I hope the bill will be overwhelmingly approved.

RANDOLPH SUPPORTS VITAL SCHOOL MILK-SCHOOL LUNCH PROGRAM OF BENEFIT TO WEST VIRGINIA CHILDREN

Mr. RANDOLPH. Mr. President, it is my privilege and my responsibility to support S. 3467, to amend the National School Lunch Act. I had, earlier in this session, cosponsored two similar bills and had hoped to see them enacted into law. The legislation before us today, however, will strengthen the existing program and provide for a needed 3-year extension of the benefits being realized by our children through the assistance this program affords.

Over the past few months, I have received many letters from constituents in West Virginia pertaining to the school milk and school lunch legislation. The writers expressed concern that certain original proposals sent to the Congress in the first months of this session would tend to weaken these beneficial assistance programs. These West Virginians are among many of our American citizens who have come to depend on the benefits our children receive through the free or reduced-price milk and lunch assistance in our elementary and secondary schools.

In my State, Mr. President, we have 1,402 schools where 191,663 children, or 42.3 percent of our total elementary and secondary school enrollment, benefit from this sustenance. According to the most recent data available, 15.7 percent, or almost one-sixth, of the 31,608,541 school lunches served in West Virginia in 1964-65 were free or reduced-price lunches made available under the National School Lunch Act.

For the benefit, therefore, of almost 200,000 West Virginia children, who need

the nourishment afforded under the provisions of this act, I am pleased to join with the distinguished Senator from Louisiana [Mr. ELLENDER], chairman of the Committee on Agriculture and Forestry, and his fine colleagues, who have recommended to us a bill which is reasonable, practicable, and responsive to the needs of the Nation's children.

STRENGTHENING THE NATIONAL SCHOOL LUNCH PROGRAM

Mr. YARBOROUGH. Mr. President, for a generation now our American education effort has been strengthened by the national school lunch program. We have learned through experience that the learning process functions best when a child has enough to eat. We know that good nutrition is basic to a healthy, alert child, and to an inquisitive mind.

This year more than 18 million children will receive nutritious lunches at school. About 2 million of these will be free or at reduced prices for children who could not otherwise afford them. In some cases this will be the only well balanced meal the child will receive all day. The program has grown steadily over the years but there are still 9 million children in schools with no food service. One million of these are children of poverty who should have a free or reduced price meal.

S. 3467 will carry forward the good work of the National School Lunch Act. Under the special milk program for children the dietary benefits our youngsters have been receiving from subsidized milk will be assured through 1970. However, I would have preferred to have this program made permanent, as it would be in the Proxmire bill, S. 2921, of which I am a cosponsor. Under the nonfood assistance program schools without food service facilities will be eligible for Federal assistance up to 75 percent for food service projects to meet their students nutritional needs.

A new and particular valuable feature of S. 3467 is the pilot breakfast program. Schools whose students come from poor economic areas and those whose students must travel long distances will be eligible. Thousands of children arrive at school hungry and this inevitably effects their span of attention and conduct. In rural areas, children frequently ride the bus for as much as an hour or more and then stand around and wait for school to start. These children leave home early and time often does not allow for adequate breakfast. They often must wait for 6 to 8 hours for lunch. In urban areas, thousands of children are in families where the mother must leave for work long before the children leave for school. Breakfast tends to be a neglected meal. The new program authorizes the Secretary of Agriculture to provide up to 90 percent of the operating costs of programs to provide free or reduced price breakfasts for students in these schools.

This program has wide support in Texas by those whose experience has made them most keenly aware of the good it will accomplish. I request the unanimous consent of the Senate to insert a letter from Mr. Charles M. Hicks, chief consultant of the school lunch program

of the State of Texas, who notes that "the bill includes the best features of the President's Child Nutrition Act of 1966—H.R. 13361."

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TEXAS EDUCATION AGENCY,  
Austin, Tex., June 17, 1966.

Hon. RALPH W. YARBOROUGH,  
U.S. Senate, Washington, D.C.

DEAR SENATOR YARBOROUGH: I have studied S. 3467 by Senator ELLENDER of Louisiana which was introduced in the Senate on June 6, 1966. I am highly in favor of this bill as it does not reduce the amount of funds for the lunch and milk programs but it includes the best features of the President's Child Nutrition Act of 1966 (H.R. 13361). You have always supported the lunch and milk programs and I feel sure you will support S. 3467.

We have had an increase in the lunch program the last few months of the past school year. Many school districts used part of their Title I funds under the Elementary and Secondary Education Act of 1965 for additional free lunches. Our records show that \$2,742,962 of Title I funds were budgeted for food service out of the \$74,337,711 allocated to Texas. For the last several years the increase in the appropriation for school lunch has been enough to take care of our increase in participation and allow us to reimburse schools 5 cents per lunch. However, for the year just completed, we had to reduce the rates in April to 3 cents per lunch and we estimate that the rate for May will also be 3 cents. This is less than the reimbursement for extra milk.

Houston entered the Special Milk Program on September 20, 1965 and San Antonio on February 24, 1966.

I estimate that Texas schools will serve 150,000,000 lunches under the National School Lunch Program in 1966-67. This will require 7½ million dollars in order to reimburse schools 5 cents per lunch. I hope that Congress will provide enough funds for us to reimburse schools 5 cents. I urge you to support and use your influence in behalf of sufficient appropriation for 5 cent reimbursement for all schools.

Also, I am interested in Section 11 of the National School Lunch Act. We used the funds allocated to Texas this past year and we were able to help 31 schools extend their program. I hope Congress will appropriate at least 12 million dollars for this section, which is the amount the President recommended in the Child Nutrition Act of 1966.

We appreciate the support you have given these programs in the past.

With kindest personal regards, I am,  
Sincerely,

CHAS. M. HICKS,  
Chief Consultant, School Lunch Program.

Mr. YARBOROUGH. Mr. President, let the good work go forward. Let it not be said in our land of abundance any child is unable to learn because he is hungry.

CENTRALIZATION OF ADMINISTRATION

Mr. TALMADGE. Mr. President, I would like particularly to call to the attention of my colleagues, the committee's firm statement in the report on S. 3467 on the need for centralization of administration of child feeding programs. I thoroughly concur with what they had to say in this respect:

New section 24 would centralize in the Department of Agriculture the administration of all Federal programs designed to provide assistance to school food service programs. To the extent practicable other Federal agencies would be required to transfer to the Department of Agriculture any funds to be



used for such assistance. The purpose of the Committee is that Federal assistance not be dissipated by being divided among various agencies and administered under varying regulations through varying local agencies.

In view of the proliferation of child feeding programs in schools, sponsored and financed by several agencies of the Federal Government, under varying regulations and standards, it seems time to express the intent of Congress that these programs be brought under the supervision of the Department of Agriculture. . . .

There was considerable discussion on this point in the committee hearings. We are in no way criticizing the efforts of these other agencies. There is still a great deal to be done in the way of improving child nutrition in this country and these other agencies were simply responding to a need. Now that we are moving to broaden the authority of the Department of Agriculture in child food service, we want to make it as clear as possible that this agency and its cooperating State and local authorities bear the full responsibility for closing existing gaps.

There was testimony from public witnesses as to the confusion that has arisen in States and in communities over divided authority in this field. We need to get back on the track in this respect and I believe the committee's statement does the job.

Mr. COOPER. Mr. President, I am very glad today to support S. 3467, the bill to amend the National School Lunch Act to include a 3-year extension of the special milk program, a pilot breakfast program, and non-food assistance to schools unable to finance feeding facilities.

Over the years, the school lunch program has been one of our most constructive means of disposing of surplus agricultural commodities. It has also, during its 20-year operation, proved to be one of the best examples of cooperation among the Federal, State and local authorities, with the local communities and school boards assuming the largest responsibility. But, its greatest purpose is to help in providing a nutritious hot lunch to schoolchildren, and certainly to those children who are the neediest.

As pointed out in the report of the Committee on Agriculture, on which I serve, children received surplus foods through the schools as early as the 1930's although the availability of the foods fluctuated. Within the next decade, section 32 funds were made available for a lunch program, but it was not until 1946 that the program was put on a permanent basis.

I first came to the Senate in 1947, and it has been my pleasure to support the school lunch program ever since, as I have supported the special milk program, the food stamp program, and disposal of surplus foods through Public Law 480. These programs are good programs. I introduced the amendment, which was enacted into law, providing that surplus foods should be available to our own people first before donation or sale abroad. I have also urged Secretaries of Agriculture to provide a better variety and in-

crease the nutritional value of the foods distributed to needy families.

During the 1964-65 school year, 2.8 billion lunches were served in 71,000 schools throughout the country. In my State of Kentucky, over 77 million lunches were served, of which 13.7 percent were served at a reduced price; and it is estimated that the total number of hot meals will reach 80 million lunches in Kentucky in the 1966-67 school year. Kentucky has made fine progress under this program, and I call attention to the diligence and foresight of Mr. C. E. Bevins, the Kentucky director of school lunch, who has directed assistance into a great many remote and rural schools, even before the Congress provided funds under section 11 of the National School Lunch Act. Many of these districts, lacking funds to set up a lunch program, were able to secure money through the Economy Opportunity Act or the Elementary and Secondary Education Act, both of which I have supported in the Senate.

Last year, I urged and supported the amendment to the agricultural appropriations bill, to provide the first \$2 million for special assistance under section 11, added by the Congress in 1962; and, under its first allocation under section 11, Kentucky opened programs in 54 schools. I hope very much the Senate Appropriations Committee will recommend the full \$6.5 million for section 11, as requested by the administration, to reach the neediest children; and this amount can be provided by reducing appropriations for other sections of the bill.

Earlier this year, Mr. Bevins published a comprehensive survey of the feeding programs in Kentucky. And Secretary Freeman, testifying before the Senate Agriculture Committee on June 21, summarized the growth of the program in my State. I ask unanimously consent that his remarks about Kentucky appear in the RECORD at this point in my remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

In the winter of 1962-63, through the vigorous cooperation of the Kentucky State school lunch staff and local officials, we tried another approach to getting a lunch program started in isolated one- and two-room schools in the Appalachian area of eastern Kentucky.

In the course of several months we were able to start a lunch program in 380 schools with an enrollment of about 11,000 children. In most of these schools, space for food storage, preparation, and service was virtually nonexistent. Sanitation facilities were no better. But the job was done, using two-burner hotplates, second-hand refrigerators and asking the children to bring a plate and utensils from home.

The State School Lunch Director diverted extra Federal school lunch money to these schools as well as extra donated commodities to provide a type A lunch. As you can well imagine, this whole program required an enormous effort and cooperation among all those involved, and the results in terms of improved health, attendance, and attention among participating children made the effort more than worthwhile.

Mr. COOPER. Mr. President, in the budget request for fiscal 1967, the administration proposed that Federal appropriations be reduced from the \$103 million appropriated last year for the special milk program, to \$21 million, and that funds for the Nation School Lunch Act be cut by \$19 million, reducing the Federal contribution by 1 cent a lunch. I joined Senator PROXMIRE's bill, S. 2921, to express the sense of the Congress that the administration spend on the milk program the funds appropriated by the Congress—as \$3 million were impounded during fiscal 1966—and in my statement to the Senate Appropriations Committee, I urged the full funding of the school lunch and milk programs.

I am glad that the administration has made several revisions in its proposal, and I support the bill as reported by the Agriculture Committee. The committee bill would center all the school food distribution programs in the Department of Agriculture, rather than to coordinate these programs with those under the poverty program as originally planned by the administration. I note particularly that the program will be administered as before, by local school authorities, assisted by the parent-teacher's associations and other local citizens. Its cost is about the same. It is an established program for schoolchildren.

Schoolchildren, mothers, PTA groups, and school officials are looking to the Congress to assure the continuation and improvement of the school lunch and special milk programs, and the bill the Senate will adopt today is evidence that we will not disappoint them.

Mr. President, I ask unanimous consent that letters I have recently received on this subject from the Honorable Harry M. Sparks, superintendent of public instruction for the State of Kentucky, and from Mr. C. E. Bevins, who is in charge of the school lunch program, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF KENTUCKY,  
DEPARTMENT OF EDUCATION,  
Frankfort, Ky., June 17, 1966.

Hon. JOHN SHERMAN COOPER,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR COOPER: While attending the Southern States Work Conference last week at Daytona Beach, Florida, it was announced that Senator ELLENDER of Louisiana introduced a bill in the Senate which would amend the National School Lunch Act. This amendment, if passed by Congress, would give Kentucky a better school lunch and special milk program than we have enjoyed in the past. It is our feeling, in Kentucky, that this bill is the one which would be more helpful to Kentucky than the administration's Child Nutrition Act. It is, if the information I have received is correct, a continuation of what we have been doing supplemented by the newer concepts which are being promulgated.

On behalf of Kentucky school officials, the State Department of Education and all Kentucky school pupils, we wish to express our appreciation for the support you have given to the school lunch and special milk program of the past and know you will want to con-



tinue to help Kentucky as much as possible in the future. For all this, we are grateful.

Very truly yours,

HARRY M. SPARKS,  
Superintendent of Public Instruction.

COMMONWEALTH OF KENTUCKY,  
DEPARTMENT OF EDUCATION,  
Frankfort, Ky., June 17, 1966.

HON. JOHN SHERMAN COOPER,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR COOPER: I have reviewed Senate Bill 3467 and find that it contains provisions for a continuation of the present School Lunch and Special Milk Program and includes certain aspects of the Child Nutrition Act which will strengthen the school food service program in Kentucky. It is my understanding that action will be taken in the Senate on this Bill early in the week of June 20. It is my feeling that the Ellender Bill is much to be preferred over the Child Nutrition Act, and I hope that it will be possible for the Kentucky Senators to support it.

I am writing to the members of the House from Kentucky and hope that the House can lay aside the Child Nutrition Act and take action on the Ellender Bill if they are given an opportunity to do so.

On behalf of the boys and girls of Kentucky, thank you very much for all that you have done on their behalf and for a continuation of such consideration in the years to come.

Very truly yours,

C. E. BEVINS,  
Director, Division of School Lunch.

Mr. MORSE. Mr. President, the amendments to the National School Lunch Act that we are considering today in S. 3467 are good, sound and necessary if we are to provide a comprehensive, coordinated program to improve child nutrition in this country. We have come a long way under the national school lunch program and these amendments are intended to put us within reach of a goal that we have long sought and accepted as only reasonable in a country as rich as this one in agricultural resources and as expert in meeting and solving problems.

Under section 14 of S. 3467, provision is made for a 2-year pilot breakfast program in schools drawing attendance from children of low-income families and for schools where a substantial proportion of the children travel long distances. I want to stress here that this new activity is to be initiated on a short-term, pilot basis. This is the approach that in the long run will result in sound legislative authority and effective program operations.

There are thousands of children who arrive at school hungry for a variety of reasons. Section 14 is intended to meet two of these reasons head on. In rural areas, children frequently ride a bus for an hour or more to get to school and then wait around in the schoolyard for an extended period waiting for the bell to ring. Even if time had permitted them to have a breakfast at home, it may be 5 to 6 hours before they have lunch.

In urban areas, there are thousands of children in families where the mother must leave for work long before the children leave for school. An organized family breakfast is rare and breakfast tends to be the neglected meal.

The importance of breakfast and other

efforts to improve child nutrition are stated forthrightly in a publication issued jointly by the Office of Education and the Office of Economic Opportunity, "Education: An Answer to Poverty." This publication states:

Hungry children are nonlearning children. . . . Scientific studies have shown conclusively that the process of learning virtually ends when a human being becomes uncomfortably hungry. When a child appears at school in the morning having had little or no breakfast, he might just as well have stayed home. The teacher's effort is wasted. The curriculum, the long hours of professional preparation, the value of textbooks and teaching aids are lost upon him. Similarly, a child without lunch loses most of the value of a school afternoon. A hungry child not only injures himself, but his discomfort may subtly disturb the teachings of a whole class.

The breakfast program proposed under S. 3467 is based on the experience and approaches followed in the national school lunch program. Nutritional standards are now being developed by the nutritional experts of the U.S. Department of Agriculture—not just for purposes of this amendment but because of increasing interest on the part of many schools as to the best combinations of foods for a breakfast to meet the needs of children.

The program under consideration today will be available to all children in schools selected by the State educational agency for participation. Those who can afford to pay will be expected to do so. The Federal funds made available will be used to help meet the cost of underwriting the breakfast for those who can afford only a token payment or who cannot afford to pay even a few cents.

In the selection of schools, the State educational agencies will be asked to give particular consideration to those schools that are eligible for assistance under the Elementary and Secondary Education Act. This is to assure a reasonably uniform interpretation of need among the several Federal agencies concerned with strengthening programs for disadvantaged children.

In situations of very severe need, the Secretary is authorized to provide up to 90 percent of the operating costs of the program. In most cases, however, the Federal assistance will be limited to providing the food needed for the breakfast. As in the national school lunch program, State and local sources will defray the costs of labor and overhead.

Although I have outlined only the provisions of the breakfast program, I believe every phase of S. 3467 warrants our support.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Michigan [Mr. HART], the Senator from Arkansas [Mr. McCLELLAN], the Senator

from Wyoming [Mr. McGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that, if present and voting, the Senator from Tennessee [Mr. BASS], the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Wyoming [Mr. McGEE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Wyoming [Mr. SIMPSON] is necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

The Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

If present and voting, the Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

The result was announced—yeas 76, nays 0, as follows:

[No. 135 Leg.]

YEAS—76

Alken	Harris	Morse
Allott	Hartke	Morton
Bartlett	Hill	Moss
Bayh	Holland	Mundt
Bennett	Hruska	Murnighan
Bible	Inouye	Muskie
Boggs	Jackson	Nelson
Brewster	Javits	Pearson
Burdick	Jordan, N.C.	Prouty
Byrd, W. Va.	Jordan, Idaho	Proxmire
Cannon	Kennedy, Mass.	Randolph
Carlson	Kennedy, N.Y.	Ribicoff
Case	Kuchel	Russell, S.C.
Church	Lausche	Smith
Cooper	Long, Mo.	Sparkman
Cotton	Long, La.	Stennis
Curtis	Magnuson	Talmadge
Dominick	Mansfield	Thurmond
Douglas	McCarthy	Tower
Eastland	McGovern	Tydings
Ellender	McIntyre	Williams, Del.
Ervin	Metcalf	Yarborough
Fannin	Miller	Young, N. Dak.
Fong	Mondale	Young, Ohio
Gore	Monroney	
Griffin	Montoya	



## NAYS—0

## NOT VOTING—24

Anderson	Hart	Robertson
Bass	Hayden	Russell, Ga.
Byrd, Va.	Hickenlooper	Saltonstall
Clark	McClellan	Scott
Dirksen	McGee	Simpson
Dodd	Neuberger	Smathers
Fulbright	Pastore	Symington
Gruening	Pell	Williams, N.J.

So the bill (S. 3467) was passed.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, with the passage of the child nutrition measure which expands our school lunch program, the Senate again witnessed the effective and highly able leadership of the senior Senator from Louisiana [Mr. ELLENDER], the great chairman of the Committee on Agriculture and Forestry. Both vigorous and articulate, his strong handling of the measure assured swift approval. But the action was typical for most measures backed with the exceptional talents of Senator ELLENDER.

And to the ranking minority member of the committee, the distinguished Senator from Vermont [Mr. AIKEN], goes equally high commendation for his characteristically outstanding leadership which assured a decisive victory for this measure. As always, we are most grateful for Senator AIKEN's outstanding cooperative efforts.

Perhaps no Senator deserves more credit for or may share more justly in this great success for our Nation's youngsters than the distinguished senior Senator from Wisconsin [Mr. PROXMIRE]. We all know how long and how vigorously he has pressed for an expanded school lunch program. So today's success indeed is an achievement for Senator PROXMIRE, won largely by his strong and abiding devotion.

Others too played vital roles in obtaining the Senate's unanimous acceptance of this measure. I refer to the effective advocacy of the senior Senator from Florida [Mr. HOLLAND] and to the persuasive cooperative assistance of the Senator from Kentucky [Mr. COOPER], and the Senator from Connecticut [Mr. RIBICOFF].

But most of all we are again grateful for another unanimous adoption of a proposal achieved with the splendid cooperation of all Senators.

#### PROPOSED COMMITTEE ON INTELLIGENCE OPERATION

Mr. McCARTHY. Mr. President, on Thursday of this week the chairman of the Committee on Foreign Relations intends to report to the Senate a committee resolution proposing the creation of a Senate Committee in Intelligence Operations.

Over the past several months, the question of the proper exercise of the Senate's responsibility for foreign intelligence operations, and particularly of the Central Intelligence Agency, has been the subject of considerable com-

ment in the press and some debate on the floor of the Senate. This is a most serious matter which involves the constitutional responsibility of the Senate of the United States. When the Senate is called upon to make a decision in this matter, it should be permitted to act on the merits and substance of the issue. I am hopeful the issue will not be obscured by irrelevant arguments.

Although the Central Intelligence Agency has rarely been the subject of legislation and of congressional comment infrequently over the years, much attention and discussion has been devoted to the problem of congressional supervision of that Agency. This concern was reflected in the 1955 Hoover Commission recommendation that "the Congress consider creating a Joint Congressional Committee on Foreign Intelligence, similar to the Joint Committee on Atomic Energy." The concern was further reflected in the debate in the Senate in 1956 on the resolution offered by the present majority leader [Mr. MANSFIELD]. The present proposal is much more modest than that recommended by the Hoover Commission. It relates only to the Senate. I would provide for a nine-member committee composed of three members each from the Appropriations, Armed Services, and Foreign Relations Committees, and it would be empowered to keep itself informed of activities in the field of foreign intelligence operations. The practical effect of the resolution would be to add three members of the Foreign Relations Committee to the present CIA oversight subcommittee. Its effect would be to authorize the Central Intelligence Agency to provide to three members of the Committee on Foreign Relations information it now provides to selected members of the Armed Services and Appropriations Committees and to the nine members of the President's Foreign Intelligence Advisory Board.

What is at stake is nothing less than the constitutional responsibility of the Senate to advise and consent to the foreign relations of the United States. In the Senate the burden of this responsibility is assigned to the Committee on Foreign Relations. The Standing Rules of the Senate list, among other areas of jurisdiction of the Committee on Foreign Relations, "relations of the United States with foreign nations generally" and "interventions abroad and declarations of war." Leaving aside the matter of interventions abroad, in which one would certainly have to include the Bay of Pigs, the responsibility of the committee for the "relations of the United States with foreign nations generally" makes it clear that the Committee on Foreign Relations does have at least partial responsibility for the Central Intelligence Agency and other agencies which operate more or less exclusively in the foreign relations area. Its jurisdiction appears, from a reading of the rules of the Senate, much clearer in this matter than that of the Armed Services Committee, whose jurisdiction under the rules would not appear to extend to areas where the foreign relations of the United States are concerned. The

jurisdiction of the Armed Services Committee derives—and this is apparently the case made by its distinguished chairman—from the precedent of the Senate that legislative oversight of a Government agency is traditionally vested in the committee which reported the bill by which the agency was created.

#### AID—BEFORE FINANCE—OTHER AGENCIES

In this connection the chairman of the Armed Services Committee has suggested that if the Foreign Relations Committee can claim representation on the CIA oversight committee, then the Armed Services Committee should have representation on the Foreign Relations Committee. I would certainly have no objection to that if it could be demonstrated that the Secretary of State refused to make available to the Armed Services Committee information he was willing to make available to the Foreign Relations Committee. As Senators are aware, the Director of the Central Intelligence has advised the chairman of the Committee on Foreign Relations that he is unwilling to make available to members of that committee information that is made available to selected members of the Armed Services and Appropriations Committees and to the President's Advisory Board.

The issue then turns on whether or not the Central Intelligence Agency does, in fact, carry out actions which affect the foreign relations of the United States. It is my judgment that it does, and that, further, its role in this area has increased over the years and is still increasing. It is not relevant to contend that the CIA is not authorized to make foreign policy. Of course, it is not so authorized. The foreign policy of the United States is "made" by the President, with the advice and consent of the Senate and, to a lesser extent, of the whole Congress. But I believe it is difficult to argue against the conclusion that the CIA has in the past and does by its present actions continue to create situations to which policy must be adjusted. In such cases, whether it is "making" policy or merely "influencing" policy is largely a question of semantics.

This aspect of its activities, as opposed to its purely intelligence-gathering role, has been called by some an expansion of its original mandate. In 1963, former President Harry S. Truman wrote:

For some time I have been disturbed by the way the CIA has been diverted from its original assignment. It has become an operational and at times a policy-making arm of the Government. This has led to trouble and may have compounded our difficulties in several explosive areas.

I never had any thought that when I set up the CIA that it would be injected into peacetime cloak and dagger operations. Some of the complications and embarrassment that I think we have experienced are in part attributable to the fact that this quiet intelligence arm of the President has been so removed from its intended role that it is being interpreted as a symbol of sinister and mysterious foreign intrigue—and a subject for cold war enemy propaganda.

Public debate on this important matter has unfortunately been hampered by irrelevant considerations.



First, some have suggested that if we pass this resolution, we would be implying that the present committee and its chairman have been derelict in their duty. This is not at all the opinion of members of the Foreign Relations Committee. The Senator from Georgia has served this body ably, with distinction and dedication for many years. He serves it today as chairman of the Committee on Armed Services, as a ranking member of the Committee on Appropriations, and as chairman of the Joint CIA Subcommittee of those two standing committees. He served it as a member of the Aeronautical and Space Sciences Committee and of the Joint Committee on Atomic Energy. He also serves as a member of the Democratic Policy Committee and of the Democratic Steering Committee. He was also a member of the Warren Commission which investigated the assassination of President Kennedy.

Mr. President, I suggest rather that it is the Foreign Relations Committee which would be guilty of dereliction if it did not seek to provide itself with the information which it requires to fulfill its constitutional responsibility. Rather than making a claim to be included, we are attempting to resist exclusion from an area in which we have a right to knowledge. The committee is not muscling in.

Second, it has been suggested that individuals who serve as sources of information for the CIA would be compromised or even their lives threatened if members of the Foreign Relations Committee were permitted to exercise their responsibility. It has even been suggested that the very discussion of the CIA on the floor of the Senate may imperil lives—one presumably excepts those instances where Senators have risen to defend the CIA. I believe there is no substance to these charges. For the Foreign Relations Committee to fulfill its responsibility, it is not necessary, in my judgment, for it to know the identity of the individuals who may serve the CIA as sources. Our proper concern is policy, and the actions which can have a determining effect on that policy.

Third, it has been implied that some Members of the Senate cannot be trusted with information which involves the national security of the United States.

All members of the Senate appreciate the distinction between information relating to the national security and the kind of information which in one way involves the national security. I believe it serves no useful purpose to debate whether one committee or another, or one side of the aisle or the other, is more frequently the source of leaks. But I do not know of a single instance in which a member has divulged information affecting the national security which was made available to him in the Foreign Relations Committee.

If it is the judgment of the Senate that the present membership of the Foreign Relations Committee is unreliable, then consideration should be given to changing its membership. The important thing is that the Foreign Rela-

tions Committee be in a position to meet its responsibilities.

Fourth, some have stated that the number of persons with access to information about the Central Intelligence Agency ought to be quite limited. I would agree with that. I cannot agree that the addition of three members of the Foreign Relations Committee to the present subcommittee would inordinately increase the number. Rather, the contrary may well be the case; for if the Senate fails to act on this resolution, if it fails to establish a formal structure for oversight of the CIA, the present arrangement, whose informal nature permits considerable expansion beyond nine will be continued.

Let us examine the present situation. In the Senate, the CIA Subcommittee has a potential membership of nine—five from Armed Services and four from Appropriations—although at present only seven Senators are actually serving because of overlapping membership on the two committees. In the House, oversight of the CIA is exercised by a subcommittee of the Armed Services Committee under the chairmanship of Congressman L. MENDEL RIVERS; this subcommittee is composed of the 11 ranking members of the Armed Services Committee including, in addition to the chairman [Mr. RIVERS], Congressmen PHILBIN, HEBERT, PRICE, FISHER, HARDY, BENNETT, BATES, ARENDS, O'KONSKI, and BRAY. Oversight of the CIA is also exercised by the House Appropriations Committee, which has always declined to state publicly: One, who the members are who perform this function; two, how many members are involved; three, how they are selected; four, whether a subcommittee exists to perform this function. We just do not know how many House Members are involved. We do know, however, that the nine members of the President's Advisory Board are included among those who receive full information and also that a number of members of the Bureau of the Budget are informed as to CIA activities.

Mr. President, one may surely assume that nine responsible Members of the Senate of the United States will guard at least as carefully as an undetermined number of Members of the House, nine members of the President's Advisory Board, or any one of the thousands of members of the executive branch, information affecting the national security of the United States and the lives of its citizens.

Finally, it has been suggested that there is no need for members of the Foreign Relations Committee to receive CIA information because there is a new Director. But those in favor of the Foreign Relations Committee's playing a role have never suggested that the person of the Director had any relation to the problem. Actually it is irrelevant, for this problem of the CIA's foreign policy role has developed over the years, under a series of Directors.

It is my judgment that to permit the Foreign Relations Committee to share this responsibility would strengthen the CIA and help protect it from some of the

charges that are made; for by acting to formalize the oversight structure, the whole Senate would be meeting its responsibility more effectively. This in turn would lead to increased public confidence that the CIA is being adequately controlled, a confidence that to some extent now appears lacking.

#### FEDERAL WATER POLLUTION CONTROL AMENDMENTS AND CLEAN RIVERS RESTORATION ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1332, S. 2947, the Federal Water Pollution Control Amendments and Clean Rivers Restoration Act of 1966. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The LEGISLATIVE CLERK. A bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Federal Water Pollution Control Amendments and Clean Rivers Restoration Act of 1966".

#### TITLE I

SEC. 101. The Federal Water Pollution Control Act, as amended, is amended by inserting immediately after section 18, as added by this Act, a new title to read as follows:

"TITLE II—CLEAN RIVERS RESTORATION PROGRAM

#### "Short title

"SEC. 201. This title may be cited as the 'Clean Rivers Restoration Act of 1966'.

#### "Statement of purpose

"SEC. 202. It is the purpose of this title to authorize pollution control and abatement programs designed to reclaim, restore, and maintain the natural waters of the Nation through the preparation and development of comprehensive river basin pollution control and abatement plans and through the establishment of economic incentives to encourage waste treatment consistent with water quality standards effected as a result of section 10(c) of this Act.

#### "Planning agencies

"SEC. 203. In furtherance of the purposes of this title, the Secretary shall, at the request of the Governor or Governors of one or more States, designate a planning agency which provides for adequate representation of appropriate Federal, State, interstate, local, or when appropriate, international interests in the river basin or portion thereof involved and which is capable of developing an effective, comprehensive water quality control and abatement plan that is part of or consistent with a comprehensive river basin water resources plan.

#### "Comprehensive river basin plans

"SEC. 204. Each planning agency designated pursuant to section 203 of this title shall develop a comprehensive pollution control







89TH CONGRESS  
2D SESSION

# S. 3467

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1966

Referred to the Committee on Education and Labor

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## AN ACT

To amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the National School Lunch Act, as amended, is  
4       amended—

5               (A) By inserting in section 3 before the period at  
6       the end thereof the following phrase: “and other than  
7       sections 13 through 15 and section 17”.

8               (B) By inserting in section 6 after the word “Act”  
9       where it first occurs the following: “(other than sections  
10       13 through 15 and section 17)”.

1           (C) By adding at the end of subsection (d) of  
2           section 12, the following new paragraph:

3           “(8) ‘Nonprofit institution’ means any public or private  
4           institution, except a school or other educational institution  
5           of higher learning, which provides for the care and train-  
6           ing of children and no part of the net earnings of which in-  
7           ures to the benefit of any private shareholder or individual.”

8           (D) By adding at the end of the Act the follow-  
9           ing new sections:

10                               “SPECIAL MILK PROGRAM

11                               “AUTHORIZATION

12           “SEC. 13. There is hereby authorized to be appropriated  
13           for the fiscal year ending June 30, 1967, not to exceed  
14           \$110,000,000; for the fiscal year ending June 30, 1968, not  
15           to exceed \$115,000,000; and for each of the two succeeding  
16           fiscal years not to exceed \$120,000,000, to enable the Secre-  
17           tary of Agriculture, under such rules and regulations as he  
18           may deem in the public interest, to encourage consumption of  
19           fluid milk by children in the United States in (1) nonprofit  
20           schools of high school grade and under, and (2) nonprofit  
21           nursery schools, child-care centers, settlement houses, sum-  
22           mer camps, and similar nonprofit institutions devoted to the  
23           care and training of children. For the purposes of this sec-  
24           tion ‘United States’ means the fifty States and the District  
25           of Columbia. The Secretary shall administer the special

1 milk program provided for by this section to the maximum  
2 extent practicable in the same manner as he administered  
3 the special milk program provided for by Public Law 85-478  
4 as amended, during the fiscal year ended June 30, 1966.

5 "SCHOOL BREAKFAST PROGRAM

6 "AUTHORIZATION

7 "SEC. 14. (a) There is hereby authorized to be appro-  
8 priated for the fiscal year ending June 30, 1967, not to ex-  
9 ceed \$7,500,000; and for the fiscal year ending June 30,  
10 1968, not to exceed \$10,000,000. to enable the Secretary  
11 to formulate and carry out a pilot program to assist States  
12 through grants-in-aid and other means, to initiate, maintain,  
13 or expand nonprofit breakfast programs in schools drawing  
14 attendance from areas in which poor economic conditions  
15 exist and in schools to which a substantial proportion of the  
16 children enrolled must travel long distances.

17 "APPORTIONMENT TO STATES

18 "(b) Of the funds appropriated for the purposes of  
19 this section for any fiscal year, the Secretary shall reserve  
20 3 per centum for apportionment to Guam, the Virgin Islands,  
21 Puerto Rico, and American Samoa. Such funds shall be  
22 apportioned among such States on the basis of the ratio of  
23 the number of children of ages five through seventeen in  
24 each such State to the number of all children of ages five  
25 through seventeen in all such States.



1       “(c) Of the remainder of the funds appropriated, the  
2 Secretary shall for each fiscal year, (1) apportion the first  
3 \$2,500,000 equally among the States, other than Guam,  
4 the Virgin Islands, Puerto Rico, and American Samoa, and  
5 (2) apportion the remainder among such States on the  
6 basis of the ratio of the number of children in each State of  
7 ages five through seventeen in families with incomes of less  
8 than \$2,000 per annum plus the number of children of ages  
9 five through seventeen in families with incomes of more than  
10 \$2,000 per annum from payments under the Department  
11 of Health, Education, and Welfare’s program of aid to  
12 families with dependent children to the total number of  
13 such children in the fifty States and the District of Columbia.

14               “STATE DISBURSEMENT TO SCHOOLS

15       “(d) Funds apportioned and paid to any State for the  
16 purpose of this section shall be disbursed by the State educa-  
17 tional agency to schools selected by the State educational  
18 agency, to reimburse such schools for the cost of obtaining  
19 agricultural and other foods for consumption by needy  
20 children in a breakfast program and for the purpose of sub-  
21 section (e). Such food costs may include, in addition to  
22 the purchase price, the cost of processing, distributing, trans-  
23 porting, storing, and handling. Disbursement to schools  
24 shall be made at such rates per meal or on such other basis  
25 as the Secretary shall prescribe. In selecting schools, the

1 State educational agency shall, to the extent practicable, give  
2 first consideration to those schools drawing attendance from  
3 areas in which poor economic conditions exist and to those  
4 schools to which a substantial proportion of the children  
5 enrolled must travel long distances.

6 “(e) In circumstances of severe need where the rate  
7 per meal established by the Secretary is deemed by him in-  
8 sufficient to carry on an effective breakfast program in a  
9 school, the Secretary may authorize financial assistance up  
10 to 90 per centum of the operating costs of such a program, in-  
11 cluding cost of obtaining, preparing, and serving food. In  
12 the selection of schools to receive assistance under this sec-  
13 tion, the State educational agency shall require applicant  
14 schools to provide justification of the need for such assistance.

15 “NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

16 “(f) Breakfasts served by schools participating in the  
17 school breakfast program under this section shall consist of a  
18 combination of foods and shall meet minimum nutritional  
19 requirements prescribed by the Secretary on the basis of  
20 tested nutritional research. Such breakfasts shall be served  
21 without cost or at a reduced cost only to children who are  
22 determined by local school authorities to be unable to pay the  
23 full cost of the breakfast. In making such determinations,  
24 such local authorities should, to the extent practicable, con-

1 sult with public welfare and health agencies. No physical  
2 segregation of or other discrimination against any child shall  
3 be made by the school because of his inability to pay.

4 "NONPROFIT PRIVATE SCHOOLS

5 " (g) If in any State the State educational agency is not  
6 permitted by law to disburse the funds paid to it under this  
7 section to nonprofit private schools, the Secretary shall with-  
8 hold from the funds apportioned to any such State under  
9 subsections (b) and (c) of this section an amount based on  
10 the ratio of the number of children enrolled in nonprofit  
11 private schools within the State to the total number of chil-  
12 dren enrolled in all schools within the State. The Secretary  
13 shall disburse the funds so withheld directly to the nonprofit  
14 private schools within such State for the same purposes and  
15 subject to the same conditions as are required of a State  
16 educational agency disbursing funds made available under  
17 this section.

18 "NONFOOD ASSISTANCE PROGRAM

19 "AUTHORIZATION

20 "SEC. 15. (a) There is hereby authorized to be appro-  
21 priated for the fiscal year ending June 30, 1967, and for  
22 each fiscal year thereafter such sums as may be necessary  
23 to enable the Secretary to formulate and carry out a program  
24 to assist the States through grants-in-aid and other means to  
25 supply schools drawing attendance from areas in which poor



1 economic conditions exist with facilities, other than land and  
2 buildings, for the storage, preparation, transportation, and  
3 serving of food to enable such schools to establish, maintain,  
4 and expand school food service programs.

5 “APPORTIONMENTS TO STATES

6 “(b) The Secretary shall apportion the funds appro-  
7 priated for the purposes of this section among the States  
8 during each fiscal year on the same basis as apportionments  
9 are made under section 4 of this Act for supplying agricul-  
10 tural and other foods, except that apportionment to American  
11 Samoa for any fiscal year shall be on the same basis as the  
12 apportionment to the other States. Payments to any State  
13 of funds apportioned for any fiscal year shall be made upon  
14 condition that one-fourth of the cost of any facilities financed  
15 under this subsection shall be borne by State or local funds.

16 “STATE DISBURSEMENT TO SCHOOLS

17 “(c) Funds apportioned and paid to any State for the  
18 purpose of this section shall be disbursed by the State edu-  
19 cational agency to assist schools, which draw attendance from  
20 areas in which poor economic conditions exist and which  
21 have no, or grossly inadequate, facilities, to conduct a school  
22 food service program, and to acquire such facilities. In the  
23 selection of schools to receive assistance under this section,  
24 the State educational agency shall require applicant schools  
25 to provide justification of the need for such assistance and the

1 inability of local tax sources to finance the food service equip-  
2 ment and facilities needed. Disbursements to any school may  
3 be made, by advances or reimbursements, only after approval  
4 by the State educational agency of a request by the school for  
5 funds, accompanied by a detailed description of the facilities  
6 to be acquired and the plans for the use thereof in effectively  
7 meeting the nutritional needs of children in the school.

8 "NONPROFIT PRIVATE SCHOOLS

9 " (d) If in any State the State educational agency is not  
10 permitted by law to disburse the funds paid to it under this  
11 section to nonprofit private schools in the State, the Secre-  
12 tary shall withhold from the funds apportioned to such State  
13 under subsection (b) an amount which bears the same ratio  
14 to such funds as the number of lunches, consisting of a  
15 combination of foods and meeting the minimum requirements  
16 prescribed by the Secretary under section 9 of this Act  
17 served in the preceding fiscal year by all nonprofit private  
18 schools participating in the program under section 2 within  
19 the State, as determined by the Secretary, bears to the par-  
20 ticipation rate for the State. The Secretary shall disburse  
21 the funds so withheld directly to the nonprofit private schools  
22 within such State for the same purposes and subject to the  
23 same conditions as are required of a State educational agency  
24 disbursing funds made available under this section.

1                   “PAYMENTS TO STATES

2           “SEC. 16. The Secretary shall certify to the Secretary  
3 of the Treasury from time to time the amounts to be paid  
4 to any State under sections 13 through 17 of this Act and the  
5 time or times such amounts are to be paid; and the Secretary  
6 of the Treasury shall pay to the State at the time or times  
7 fixed by the Secretary the amounts so certified.

8                   “STATE ADMINISTRATIVE EXPENSES

9           “SEC. 17. The Secretary may utilize funds appropriated  
10 under this section for advances to each State educational  
11 agency for use for its administrative expenses in supervising  
12 and giving technical assistance to the local school districts in  
13 their conducting of programs under this Act. Such funds  
14 shall be advanced only in amounts and to the extent deter-  
15 mined necessary by the Secretary to assist such State agencies  
16 in the administration of additional activities undertaken by  
17 them under sections 11, 14, and 15 of this Act. There are  
18 hereby authorized to be appropriated such sums as may be  
19 necessary for the purposes of this section.

20                   “UTILIZATION OF FOODS

21           “SEC. 18. Each school participating under section 14 of  
22 this Act shall, insofar as practicable, utilize in its program  
23 foods designated from time to time by the Secretary as being  
24 in abundance, either nationally or in the school area, or foods



1 donated by the Secretary. Foods available under section  
2 416 of the Agricultural Act of 1949 (63 Stat. 1058), as  
3 amended, or purchased under section 32 of the Act of August  
4 24, 1935 (49 Stat. 774), as amended, or section 709 of the  
5 Food and Agriculture Act of 1965 (79 Stat. 1212), may  
6 be donated by the Secretary to schools, in accordance with  
7 the needs as determined by local school authorities, for  
8 utilization in their feeding programs under this Act.

9 "NONPROFIT PROGRAMS

10 "SEC. 19. The food and milk service programs in  
11 schools and nonprofit institutions receiving assistance under  
12 this Act shall be conducted on a nonprofit basis.

13 "STATISTICAL DATA

14 "SEC. 20. Data on numbers of children of ages five  
15 through seventeen and on per capita income shall be made  
16 available by the Secretary of Commerce to the Secretary and,  
17 except where otherwise expressly stated in this Act, shall be  
18 the latest available. Data on the numbers of children, ages  
19 5 through 17, in families with incomes of more than \$2,000  
20 per annum from payments under the Department of Health,  
21 Education, and Welfare's program of aid to families with  
22 dependent children shall be provided by that Department.

23 "REGULATIONS

24 "SEC. 21. The Secretary shall prescribe such regula-  
25 tions as he may deem necessary to carry out this Act.

1 "PROHIBITIONS

2 "SEC. 22. (a) In carrying out the provisions of sections  
3 13 through 15 of this Act, neither the Secretary nor the  
4 State shall impose any requirements with respect to teaching  
5 personnel, curriculum, instruction, methods of instruction,  
6 and materials of instruction in any nonprofit institution.

7 "(b) The value of assistance to children under this Act  
8 shall not be considered to be income or resources for any  
9 purpose under any Federal or State laws including, but not  
10 limited to, laws relating to taxation, welfare, and public  
11 assistance programs. Expenditures of funds from State and  
12 local sources for the maintenance of food programs for  
13 children shall not be diminished as a result of funds received  
14 under this Act.

15 "PRESCHOOL PROGRAMS

16 "SEC. 23. The Secretary may extend the benefits of  
17 school feeding programs under this Act to include preschool  
18 programs operated as part of the school system.

19 "CENTRALIZATION OF ADMINISTRATION

20 "SEC. 24. Authority for the conduct and supervision of  
21 Federal programs to assist schools in providing food service  
22 programs for children is assigned to the Department of Agri-  
23 culture. To the extent practicable, other Federal agencies  
24 administering programs under which funds are to be pro-  
25 vided to schools for such assistance shall transfer such funds

1 to the Department of Agriculture for distribution through  
2 the administrative channels and in accordance with the  
3 standards established under this Act.

4 "NO CHANGE IN SCHOOL LUNCH PROGRAM

5 "SEC. 25. The Secretary shall administer sections 1  
6 through 12 of this Act to the maximum extent practicable  
7 in the same manner as he administered those sections during  
8 the fiscal year ended June 30, 1966."

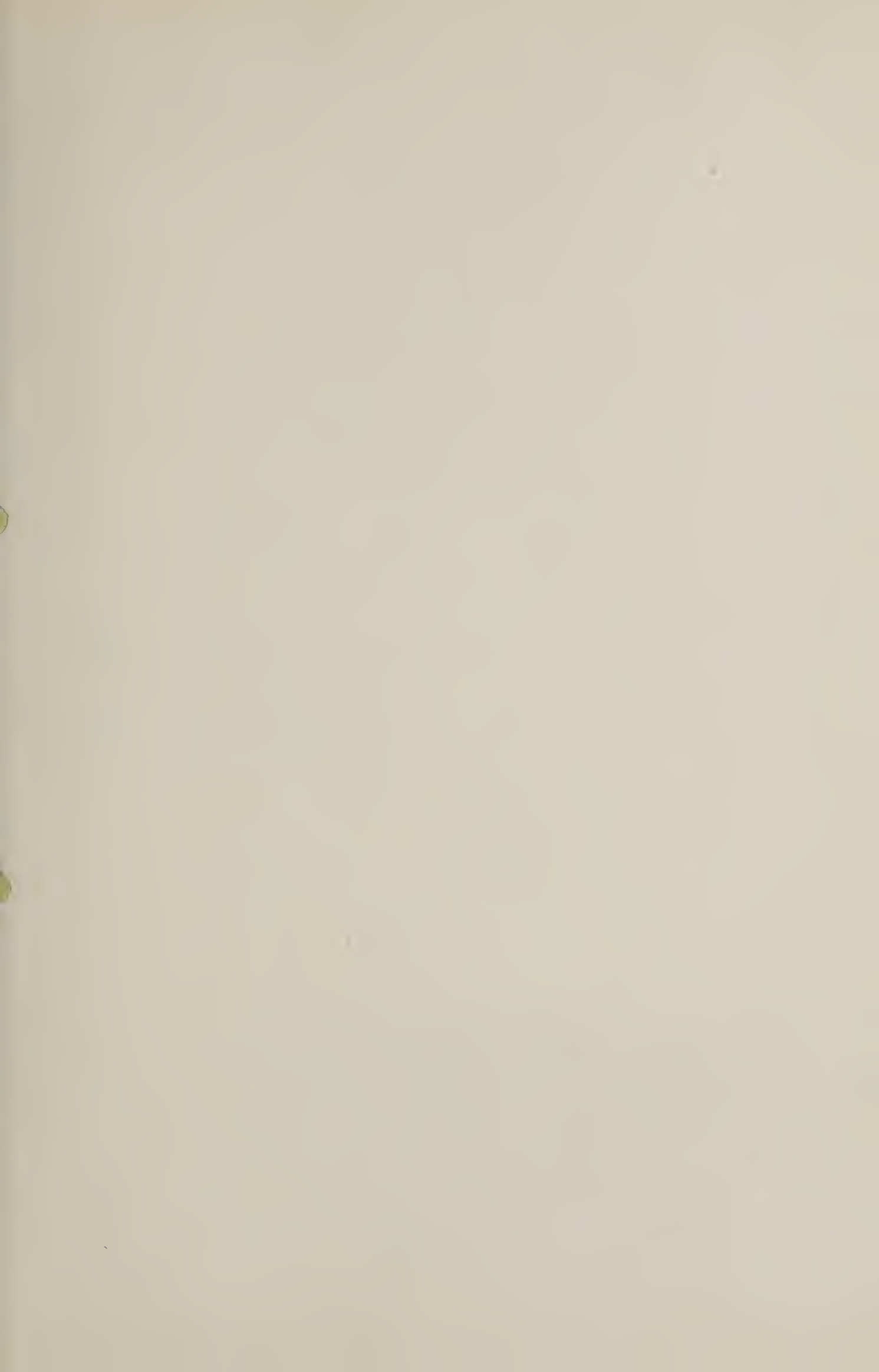
Passed the Senate July 12, 1966.

Attest:

EMERY L. FRAZIER,

*Secretary.*





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## AN ACT

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To amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

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JULY 13, 1966

Referred to the Committee on Education and Labor







# DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
(E) TO BE QUOTED OR CITED)

Issued July 27, 1966  
For actions of July 26, 1966  
89th-2nd; No. 120

## CONTENTS

Acreage diversion.....9	Farm labor.....33	Postal service.....30
Administrative budget...19	Farm program.....17	Price statistics.....36
Animal drugs.....34	Feed grain.....9	Purchasing.....31
Appropriations.....40	Fisheries.....27	Recreation.....10,24,26
Area development.....22	Foreign aid.....1,14	Research.....15
Balance-of-payments.....21	Foreign trade.....3,13	Retirement.....29
CCC.....12	Forest roads.....2	Roads.....2
Child nutrition.....8,38	Great Lakes.....4	School lunch.....41
Civil rights.....16	Historic sites.....18	St. Lawrence Seaway.....4
Committee employees.....20	Information.....25	Strip mining.....6
Cooperatives.....7,23,39	Lands.....28,35	Tariffs.....43
Cotton.....9	Law.....44	Taxation.....42
Disaster relief.....37	Military assistance.....1	Tobacco.....45
Economics.....36	Milk programs.....5,38,41	Wheat.....9
Electrification....7,23,32	Personnel.....29	Wildlife.....11

HIGHLIGHTS: Senate passed foreign aid authorization bill. Sen. Proxmire urged early decision on school milk program. House committee voted to report child nutrition bill, and bill to allow planting on diverted acreage. Rep. Langen criticized USDA farm policies and urged increase in food production.

## SENATE

1. FOREIGN AID. Passed, 66-27, with an amendment H. R. 15750, the foreign aid authorization bill, after substituting the language of the companion bill, S. 3584, as amended. S. 3584 was indefinitely postponed. Senate conferees were appointed. pp. 16243, 16247-78

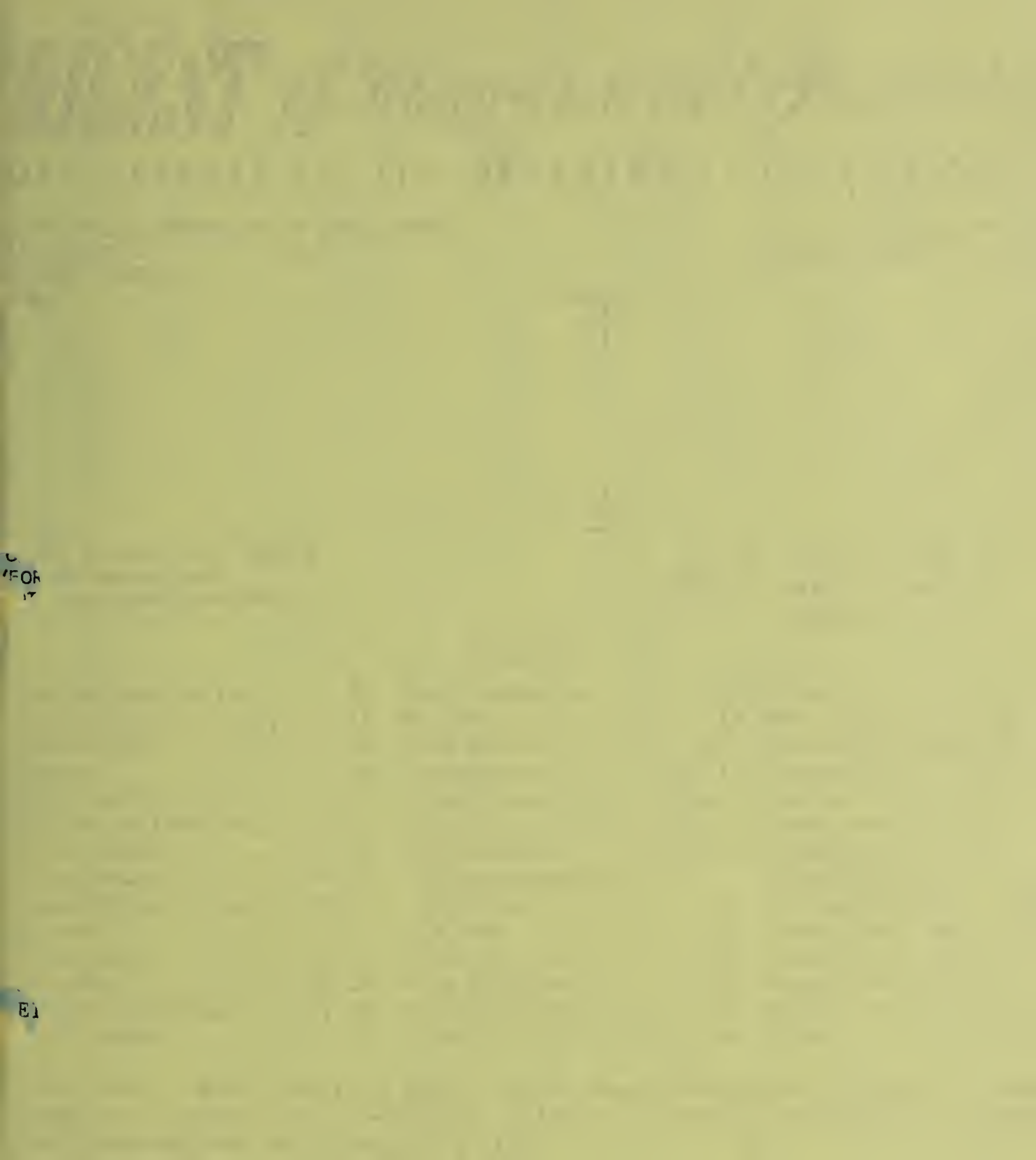
Began debate on S. 3583, the military assistance and sales bill (pp. 16278-79). Sen. Gruening submitted several amendments (pp. 16283-7) and Sen. Church submitted one amendment to this bill, S. 3583 (p. 16287). This bill would create separate statutes for the economic and military assistance programs.

2. ROADS. The Public Works Committee reported with amendments S. 3155, to authorize appropriations for the construction of certain highways including forest roads and trails (S. Rept. 1410). p. 16283
3. FOREIGN TRADE. The Commerce Committee voted to report (but did not actually report): S. 3297, amended, to authorize the carriage of military cargoes by U. S. flag vessels at reduced rates which are fair and reasonable; S. 1596, amended, to provide for quarantine inspection by the U. S. at ports of entry without reimbursement by the owners of the transportation facilities; S. 3391, amended, to exempt certain water carriers from provisions of the Shipping Act; S. 3446, amended, to consolidate and reenact certain of the U. S. shipping laws; and H. R. 8760, to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil. p. D672
4. GREAT LAKES. Sen. Hart inserted several resolutions relative to commerce and conservation in the Great Lakes Basin. pp. 16293-94  
Sen. Proxmire spoke on the future of the St. Lawrence Seaway and inserted an article, "Legislation Asked To Ease Debts of Struggling Seaway." p. 16301
5. SCHOOL MILK. Sen. Proxmire urged an early meeting of the agricultural appropriations conference committee in order that "uncertainties over the 1967 school milk program can be resolved." p. 16295
6. STRIP MINING. Sen. Nelson spoke in support of his bill, S. 2688, re strip mining, and inserted the conclusions of the report on strip and surface mining in Appalachia. pp. 16295-6
7. ELECTRIFICATION. Sen. Tower inserted a resolution in support of the bill to establish a Bank for rural electric cooperatives. pp. 16301-2

HOUSE

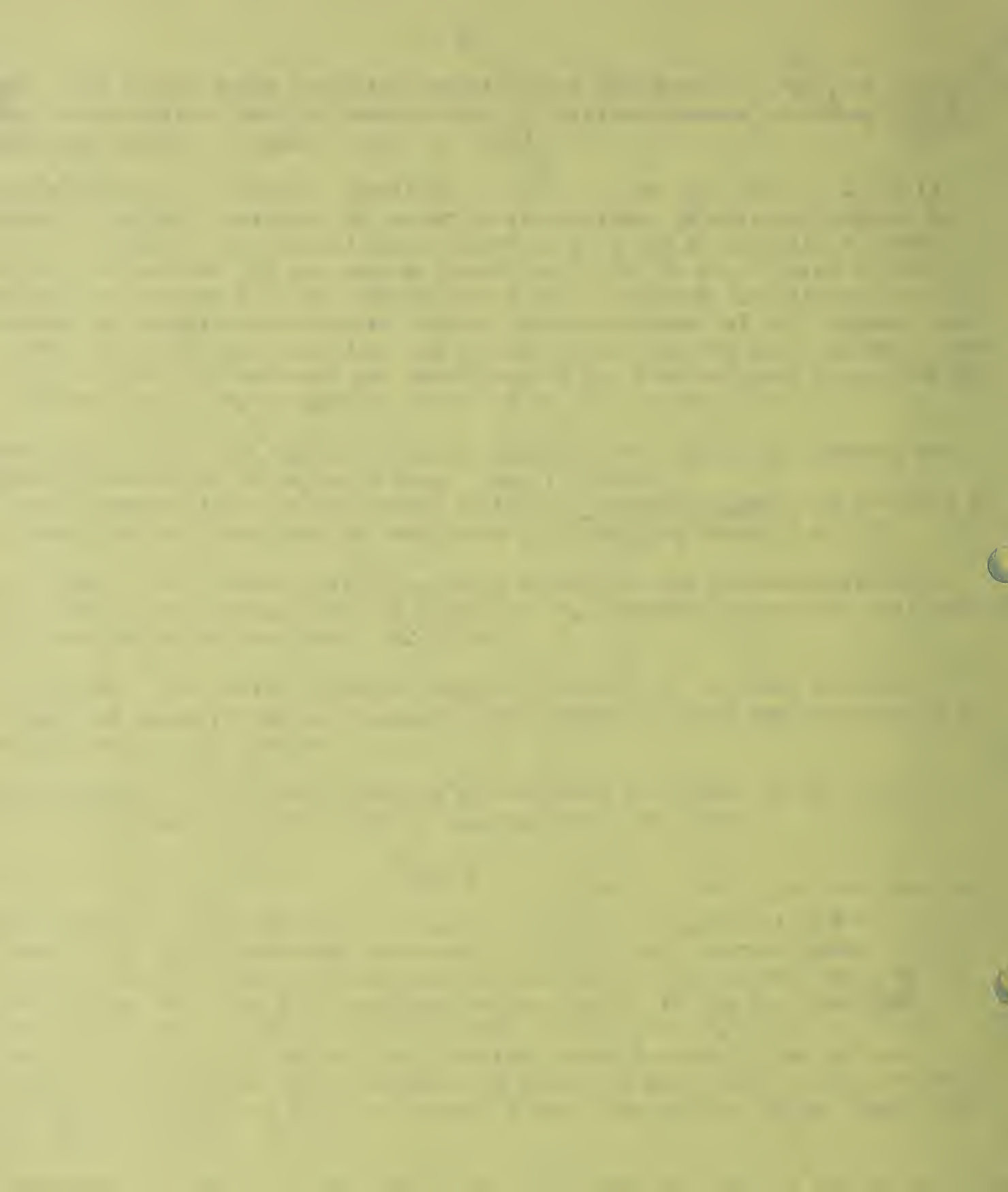
8. CHILD NUTRITION. The Agriculture Committee voted to report (but did not actually report) H. R. 13361, amended, to establish a cooperative Federal-State child nutrition program under the direction of this Department. A subcommittee had approved this bill for full committee action earlier in the day. ~~p. D673~~
9. ACREAGE DIVERSION. The Agriculture Committee voted to report (but did not actually report) H. R. 14831, amended, to amend the provisions of the law relating to the planting of crops on acreage diverted under the cotton, wheat, and feed grains program. p. D673
10. RECREATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 2778, amended, to provide for the establishment of the Bighorn Canyon National Recreation Area. p. D674
11. WILDLIFE. The Merchant Marine and Fisheries Committee voted to report (but did not actually report) H. R. 14136, amended, to amend the Migratory Bird Hunting Stamp Act, to increase by \$2 the fee for such stamp. p. D674
12. CCC. Both Houses received from the President the Commodity Credit Corporation's report for 1965. pp. 16281-2, 16314-5





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# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
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Issued July 28, 1966  
For actions of July 27, 1966  
89th-2nd; No. 121

### CONTENTS

Administrative law.....20	Farm products.....31	Prices.....5,39
Appropriations.....12	Federal aid.....19	Recreation.....8,14
Buildings.....18	Fish protein.....7	Relocation payments.....23
Census.....33	Foreign aid.....11	Research.....35
Child nutrition.....1	Forest roads.....3	Roads.....3
Cigarette labeling.....30	Housing.....4,13	Screw-worm.....38
Civil rights.....4	Inflation.....9,24,39	Soybeans.....28
Clean water.....10,16	Intergovernmental relations.....19	Statistics.....25,39
Congressional reform.....27	Labeling.....30,32,37	Transportation.....2,13,31
Credit.....22	Lands.....23	Truth-in-lending.....22
Diet foods.....37	Milk programs.....21	Water.....10,16,29,36
Economy.....9,24,39	Natural beauty.....26	Water pollution.....16,29
Electrification.....17	Poverty.....34	Watersheds.....6,15
Farm prices.....5		Wheat.....5

HIGHLIGHTS: Senate received work plans for various watershed projects. House Rules Committee cleared road authorization and Dept. of Transportation bills. House subcommittee approved child nutrition bill.

### HOUSE

1. CHILD NUTRITION. A subcommittee of the Education and Labor Committee approved for full committee consideration S. 3467, the child nutrition bill. p. D681
2. TRANSPORTATION. The Rules Committee reported a resolution for consideration of H. R. 15963, to establish a Department of Transportation. p. 16465
3. ROADS. The Rules Committee reported a resolution for consideration of H. R. 14359, the road authorization bill. As reported, this bill would authorize



\$33 million for forest highways and \$170 million for forest development roads and trails for both 1968 and 1969. p. 16465

4. CIVIL RIGHTS. Continued debate on H. R. 14765, the civil rights bill. pp. 16378-427, 14638-9
5. FARM PRICES; WHEAT. Rep. Andrews, N. Dak., criticized the "recurring tendency of the administration to blame farmers for inflation" and inserted an article which states that farmers are not responsible for recent bread-price increases. p. 16428
6. WATERSHEDS. Rep. Baring commended the small watershed program and soil conservation district leaders in Nev. p. 16457
7. FISH PROTEIN. Rep. Keith questioned the Food and Drug Administration decision to withhold approval of fish protein concentrate pending additional information. p. 16438
8. RECREATION. Rep. Clausen spoke in favor of increased authorization for the Point Reyes National Seashore and inserted testimony on this and other Land and Water Conservation Fund projects. pp. 16447-51
9. INFLATION. Rep. Ullman stated that the economy is under threat of both inflation and recession and urged Presidential action "to coordinate the use of the various tools which will restore balanced growth to the economy." p. 16456

SENATE

10. CLEAN WATER. Conferees were appointed on S. 3034, to authorize feasibility studies of certain potential Federal reclamation projects in the 17 Western States. House conferees have not yet been appointed. pp. 16563-65
11. FOREIGN AID. Sen. Williams, N. J., commended and inserted a speech by AID Administrator Bell on the goals and results of our foreign aid program. pp. 16525-7
12. APPROPRIATIONS. The legislative appropriation bill, H. R. 15456, was made the unfinished business. p. 16579
13. HOUSING; TRANSPORTATION. The "Daily Digest" states that a subcommittee of the Banking and Currency Committee concluded consideration of several pending housing bills, "agreeing to recommend to the full committee the following three clean bills: (1) proposed Demonstration Cities and Metropolitan Development Act, (2) to amend the Urban Mass Transit Act of 1964, and (3) proposed Housing and Urban Development Act of 1966." p. D679
14. RECREATION. A subcommittee of the Interior and Insular Affairs Committee voted to report to the full committee "without recommendation" H. R. 7524, to provide for establishment of the Oregon Dunes National Seashore. p. D679







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### CONTENTS

Appropriations.....3	Forest roads.....1	Personnel.....5,12,27,35
Child nutrition.....9,13	Fruits and vegetables...15	Pork purchases.....19
Civil rights.....17	Governors' conference...10	Price support.....31
Conservation.....32	Greenspan.....24	Reclamation.....6,18
Credit.....29	Housing.....16,34	Recreation.....21
Cropland adjustment....24	Inflation.....8	Relocation procedures...39
Defense production.....29	Intergovernmental	Research.....36
Disaster relief.....25,37	cooperation.....10,39	Roads.....1
Farm income.....10,19	Labor standards.....4	Sales participation....34
Farm prices.....8	Lands.....28	School milk.....9,13
Farm program.....22	Marketing.....15	Taxation.....32
Federal aid.....10,39	Milk.....9,13,31	Traffic safety.....14
Fish protein.....36	Minerals.....30	Water.....33
Foreign aid.....11,20	Opinion poll.....23	Watersheds.....26
Foreign trade.....19	Organization of Congress.2	Wheat.....7,20,38

HIGHLIGHTS: Senate passed road authorization bill. House committee voted to report child nutrition bill. House subcommittee approved bill to provide check-off for paid advertising for plums, grapes, and pears.

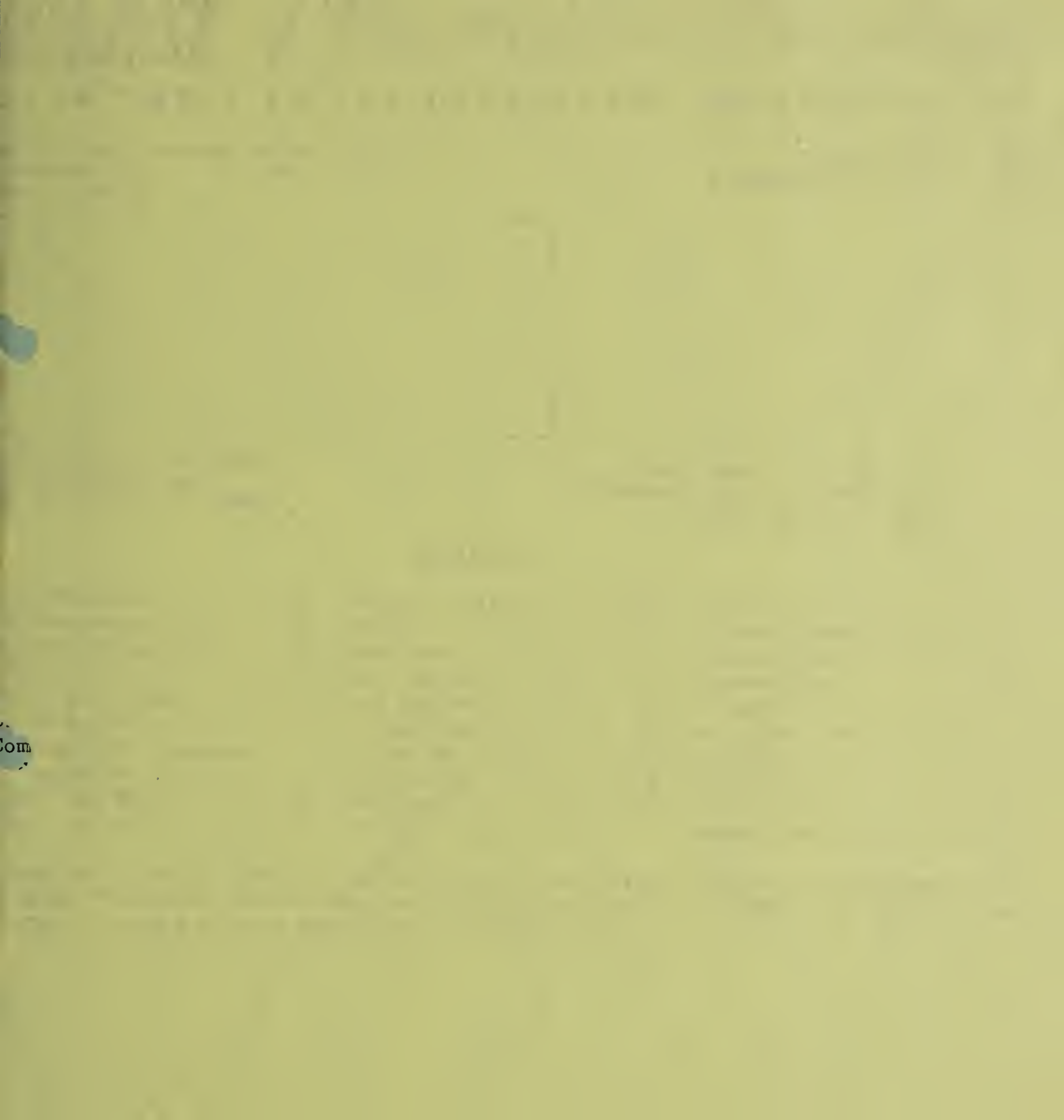
### SENATE

1. ROADS. Passed as reported S. 3155, the road authorization bill, which authorizes \$33 million for forest highways and \$170 million for forest development roads and trails for each of the fiscal years 1968 and 1969. pp. 16662-75
2. ORGANIZATION OF CONGRESS. Both Houses received from the Joint Committee on the Organization of Congress a report, "Organization of Congress" (S. Rept. 1414), pp. 16604, 16787

3. APPROPRIATIONS. Passed with amendments H. R. 15456, the legislative appropriation bill. pp. 16675-7, 16681-90 Senate conferees were appointed.
4. LABOR STANDARDS. Sen. Javits submitted an amendment to H. R. 13712, the minimum wage bill, which he stated would bar "arbitrary age discrimination in employment." p. 16619
5. PERSONNEL. The Finance Committee voted to report (but did not actually report) with amendments H. R. 15119, the proposed Unemployment Insurance Amendments of 1966. p. D686
6. RECLAMATION. A subcommittee of the Interior and Insular Affairs Committee approved for full committee action S. 553, to consent to the Upper Niobrara River Compact between Wyo. and Nebr.; and S. 2297, giving U. S. district courts jurisdiction over actions brought to determine just compensation for lands acquired by the U. S. for irrigation purposes. pp. D686-7
7. WHEAT. Sen. McGee was added as a cosponsor of S. 3550, to provide for a 25-cent-per-bushel export marketing certificate on wheat. p. 16620
8. INFLATION. Sen. Proxmire inserted a Fortune magazine "review of the current economic situation." pp. 16626  
Sen. Tower criticized Secretary Freeman's statement on farm prices and claimed that the "farmer and rancher cannot be blamed for today's higher consumer prices." pp. 16634-35
9. CHILD NUTRITION. Sen. Proxmire commended the amended version of the child nutrition bill reported by the House Committee and urged quick action so that the "uncertainty" of the school milk program can be resolved. p. 16629
10. GOVERNORS' CONFERENCE. Sen. Javits inserted resolutions of the Governors' conference urging coordination of Federal aid programs, expressing support of S. 561, the proposed Intergovernmental Cooperation Act, and urging enactment of legislation "to make certain that agricultural income be adjusted to a level that American farmers are receiving their rightful share of the national income." p. 16629
11. FOREIGN AID. Sen. Ervin inserted an explanation of his vote against the foreign aid authorization bill. pp. 16650-51  
Sen. Fulbright expressed concern that "continued expansion of foreign aid and the war in Vietnam will inevitably reduce the...effectiveness of many domestic programs," and inserted supporting information. pp. 16655-62
12. PERSONNEL. Sen. Monroney paid tribute to Charles S. Murphy on the anniversary of "30 years of dedicated service to the Federal Government" and inserted a biographical sketch. pp. 16651-53

#### HOUSE

13. CHILD NUTRITION. The Education and Labor Committee voted to report (but did not actually report) S. 3467, amended, the child nutrition bill. p. D688
14. TRAFFIC SAFETY. The Interstate and Foreign Commerce Committee reported with an amendment H. R. 13228, the proposed Traffic Safety Act of 1966 (H. Rept. 1776). p. 16787







# DIGEST of Congressional Proceedings

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### CONTENTS

Adjournment.....16	Disaster relief.....25	Loans.....1
Appropriations.....20	Education.....7	Military construction....6
Balance of payments.....12	Farm prices.....10	National park.....11,19
CCC.....6	Farm program.....17,23	Organization.....24
Child nutrition.....2	Food prices.....5	Personnel.....14,21
Civil rights.....4	Foreign trade.....20	Public Law 480.....20
Community development districts.....6	Inflation.....5,10	Reclamation.....3
Dairy industry.....9	Information.....15	Roads.....13
Diet food.....22	Labeling.....22	Trade fair.....6
	Lands.....8	Transportation.....18,24

HIGHLIGHTS. House committee reported bill to authorize USDA to hold prepayments of insured FHA loans. House committee reported child nutrition bill. House Rules Committee cleared community development districts bill.

### HOUSE

1. LOANS. The Agriculture Committee reported H. R. 15510, to authorize this Department to hold prepayments made to the Secretary by insured-loan borrowers and transmit them to the holders of the notes in installments as they become due (H. Rept. 1785). p. 16817
2. CHILD NUTRITION. The Agriculture Committee reported with amendments H. R. 13361, to establish a cooperative Federal-State child nutrition program under the direction of this Department (H. Rept. 1787). ~~p. 16817~~

3. RECLAMATION. The Interior and Insular Affairs Committee reported with an amendment H. R. 9976, relating to the compensation to owners of private land utilized for ditches or canals in connection with any reclamation projects (H. Rept. 1784). p. 16817
4. CIVIL RIGHTS. Continued debate on H. R. 14765, the civil rights bill. pp. 16792-808
5. FOOD PRICES; INFLATION. Rep. MacGregor criticized Secretary Freeman's alleged statement to Congressional candidates urging them to "slip, slide, and duck any question of higher consumer prices if you possibly can." p. 16813
6. RULES COMMITTEE. voted to report resolution for consideration of S. 3105, the military construction authorization bill (including Commodity Credit Corporation repayments for family housing); H. R. 15098, proposed HemisFair Act Amendments; and S. 2934, the community development districts bill. p. D694

SENATE

7. EDUCATION. Passed as reported S. 2097, to provide effective procedures for enforcement of the establishment and free exercise clauses of the first amendment to the Constitution. The bill would "achieve this ambition by affording the judicial machinery necessary for instituting an equitable action for declaratory judgment to obtain judicial review of the constitutionality of grants or loans" made under certain health and education acts and the Economic Opportunity Act. pp. 16824, 16856-73, 16890-93
8. LANDS. A subcommittee of the Interior and Insular Affairs Committee approved for full committee consideration S. 3178, to amend the Taylor Grazing Act so as to eliminate gaps in Interior's exchange authority under the Act. p. D692
9. DAIRY INDUSTRY. Sen. Aiken inserted three articles which he stated explain "why the price of milk has risen in the Greater Boston area." pp. 6824-26  
Sen. Proxmire expressed the hope that the agricultural appropriations conference committee "will accede to the Senate figure for the school milk program." p. 16834
10. FARM PRICES; INFLATION. Sen. Curtis criticized Secretary Freeman's alleged statement to congressional candidates at a closed briefing "that they must overcome deep resentment against the administration in farm areas and should stay away from discussion of inflation," and inserted an editorial on this subject. pp. 16893-94  
Sen. McGovern inserted newspaper article excerpts on "milk, bread, butter and egg price increases" and stated "if farm prices are allowed to remain inequitably low...the production of food items will decline, supply will become short, and scarcities will cause skyrocketing food prices." pp. 16827-28
11. NATIONAL PARK. Sen. Kuchel spoke in support of his bill to establish a Redwood National Park in Calif.. pp. 16904-5
12. BALANCE-OF-PAYMENTS. Received from the Attorney General a report "on exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States." p. 16819



## CHILD NUTRITION ACT OF 1966

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JULY 29, 1966.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the following

### REPORT

[To accompany H.R. 13361]

The Committee on Agriculture, to whom was referred the bill (H.R. 13361) to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture, having considered the same, report favorably thereon with an amendment and recommend that the bill do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Child Nutrition Act of 1966".

#### DECLARATION OF PURPOSE

SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

#### SPECIAL MILK PROGRAM

##### AUTHORIZATION

SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to

the care and training of children. For the purpose of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

#### SCHOOL BREAKFAST PROGRAM

##### AUTHORIZATION

SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out a pilot program to assist States through grant-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

##### APPORTIONMENT TO STATES

(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion \$2,600,000 equally among the States other than Guam, the Virgin Islands, and American Samoa, and \$45,000 equally among Guam, the Virgin Islands, and American Samoa, and (2) apportion the remainder among the States in accordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

##### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (e). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

##### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(e) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

##### NONPROFIT PRIVATE SCHOOLS

(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

## NONFOOD ASSISTANCE PROGRAM

## AUTHORIZATION

SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such facilities shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the National School Lunch Act, as amended, and in the event the facilities are no longer so used, that part of such facilities financed with Federal funds, or the residual value thereof, shall revert to the United States.

## APPORTIONMENTS TO STATES

(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any facilities financed under this subsection shall be borne by State or local funds.

## STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment and facilities needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

## NONPROFIT PRIVATE SCHOOLS

(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

## PAYMENTS TO STATES

SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

## STATE ADMINISTRATIVE EXPENSES

SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.



## UTILIZATION OF FOODS

SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

## NONPROFIT PROGRAMS

SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

## REGULATIONS

SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

## PROHIBITIONS

SEC. 11. (a) In carrying out the provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

## CENTRALIZATION OF ADMINISTRATION

SEC. 12. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

## PRESCHOOL PROGRAMS

SEC. 13. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.

## MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 15. For the purposes of this Act—

(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under section 501 (c) (3) of the Internal Revenue Code of 1954.

(d) "School" means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

(e) "Secretary" means the Secretary of Agriculture.

## ACCOUNTS AND RECORDS

SEC. 16. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

## HISTORY OF THE LEGISLATION

H.R. 13361 was transmitted to the House of Representatives by executive communication on March 4, 1966, and referred to the Committee on Agriculture. The bill submitted with the executive communication was introduced by the chairman of the committee on March 7, 1966.

Hearings were held before the full Committee on Agriculture on June 23 and 24, 1966, and before the Dairy and Poultry Subcommittee on July 22 and 25, 1966. The bill was ordered reported to the House on July 26, 1966.

The bill as submitted by the administration to the House of Representatives would have superseded the national school lunch program and the special milk program with legislation which would have substantially reduced the scope of these programs and concentrated the activities in areas of economic distress.

## COMMITTEE AMENDMENT

The committee amendment strikes out all after the enacting clause of H.R. 13361 and substitutes an entirely new provision in lieu thereof.

The committee amendment does not amend the National School Lunch Act in any respect. It would permit this law to operate in the future exactly as it has in the past at a level of appropriation determined upon by the Congress.

The committee amendment would continue for an additional 3 years the special milk program, through which milk at reduced prices is made available to children in schools, summer camps, and similar institutions.

The bill as amended provides for two new programs of child feeding. The first is a school breakfast program which will be carried out on a pilot basis with a limited appropriation in substantially the same manner that the schools are now carrying out lunch and milk programs.

The second new program is a nonfood assistance program which will assist those schools which cannot finance the installation of food preparation and serving facilities and equipment to obtain this type of equipment.

## PURPOSE

The purpose of H.R. 13361 is to broaden the base of our national effort to improve the nutrition of children in school. At the present time, and for the past 20 years the major national program in this field has been the national school lunch program. This program has worked well and commands approval and community support in the thousands of schools in which it is operating.



H.R. 13361 seeks to gear the new approaches through the same State and local government channels of operation, administration, and cooperation that have served so effectively for the past 20 years.

The new programs will be grant-in-aid programs to encourage the States and the schools to expand their efforts or to initiate new efforts to assure an adequate level of nutrition to our schoolchildren regardless of the family's income.

It is the committee's belief that with these new authorities we shall be able to move forward in making good nutrition more widely available to our children. Good health is based on good nutrition and a child's physical and mental well-being—his ability to learn, to grow, and to become a healthy, effective adult, depend in large measure on his diet through his childhood years.

These new proposals will also have as an important feature a long-term impact on the demand for agricultural products produced by our farmers. The national school lunch program is the largest single food service in the world and an important market for all farmers. The requirement in H.R. 13361, for example, that Federal support for a breakfast program is contingent on meeting nutritional standards based on tested nutritional research means not only that participating children will be assured a good breakfast but that the combination of foods served will increase the commercial demand for a wide range of foods.

#### SPECIAL MILK PROGRAM

This program has been in operation since 1954. It has proved a valuable supplement in our efforts to improve child nutrition. We feel it should now properly be incorporated as part of our total effort in child nutrition.

Some 3 billion half pints of milk were consumed under this program in fiscal year 1966—about 2½ percent of our national fluid milk consumption. This is a net addition to the 3 billion half pints of milk consumed in fiscal 1966 as part of the type A meal under the national school lunch program.

No one questions the value of milk to our children and this program, by making milk available at a reduced price, puts this food within reach of even our neediest child.

Section 3 of H.R. 13361 provides for a 4-year extension of the milk program at about the present level of operation and stipulates that the Secretary of Agriculture shall administer the program to the extent possible in the same manner in which the program was administered during fiscal year 1966.

#### SCHOOL BREAKFAST PROGRAM

In recent years there has been a growing awareness that many children arrive at school hungry for a number of reasons. In many rural areas, especially with the trend toward school consolidation, children travel long distances every day by bus. In urban areas, with the tremendous increase in the number of working mothers, both parents frequently must leave for work long before the children leave for school. In these circumstances, it is difficult to get the children off to a good nutritional start for the day. The child's health suffers, his schoolwork suffers. He is listless and inattentive or restless and inattentive because he is hungry. Some schools have recognized the



need and have initiated limited breakfast programs. The results of these occasional efforts have been sufficiently promising to warrant a broader, nationally based pilot program.

In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances. Needy children will receive their breakfasts either free or at a nominal price. Other children in the schools selected participate on a paying basis. Federal funds will be provided to the schools on a reimbursement basis to assist the schools in purchasing food for all breakfasts served in much the same manner as has been done under the national school lunch program. In cases of severe need, Federal funds will be authorized to pay for up to 80 percent of the operating costs of the breakfast program.

Under section 3 of H.R. 13361, the committee has recommended such a pilot program for a 2-year test. Each State will be assured of a basic grant with the remainder of any funds appropriated apportioned on the basis of the National School Lunch Act formula.

An important feature of the proposal is the requirement that, to qualify for Federal assistance, the participating school will agree to serve a combination of foods that shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. This follows the pattern and the experience of the lunch program and assures that the breakfasts served will make a positive contribution toward a child's nutrition.

#### NONFOOD ASSISTANCE PROGRAM

Despite the continuing growth of the national school lunch program over a 20-year period, there are still millions of children who have no food service at school. Many of these children attend schools in communities that simply cannot finance the cost of acquiring the necessary equipment. This fact of life is an important obstacle to improving the nutrition of children most in need of help.

The bill would help to remove this obstacle by authorizing a program to provide schools in low-income areas with funds to acquire equipment for the purpose of establishing, maintaining, and expanding school food service.

Payments to the States under this proposal will be based on the condition that at least one-fourth of the cost of any equipment financed under this program will be met by State and local sources.

In selecting schools for this type of assistance, the State educational agency is expected to review carefully any proposals made by a school. This review will include an examination of the school's justification of need and the school's inability to finance the equipment with funds from whatever source such as school sponsors, donations, local tax resources, etc.

#### STATE ADMINISTRATIVE EXPENSES

For 20 years, all costs of administering the national school lunch program in each State have been borne by the State educational agencies. They have done an excellent job of making the program available and providing a wide range of technical aids and assistance to participating schools.

A much more detailed and difficult task lies ahead. They are being asked to undertake new kinds of responsibilities for child nutrition. The breakfast program will require a special effort on their part. Requests from schools for equipment assistance will have to be carefully analyzed. The special assistance provision of the national school lunch program means additional careful review of a school's need for and justification of its need for special consideration and extra funds to finance a lunch program.

The committee believes the time has now come to give the State educational agencies some financial help in order to assure a prudent, orderly, and effective administration of programs outlined above and has so recommended.

#### CENTRALIZATION OF ADMINISTRATION

During the past several years, other agencies of the Federal Government, using their own authorities and funds, have moved into the child school food service area. It is true that they have moved to meet a need that the Department of Agriculture was inhibited from meeting for lack of clear-cut authority to do so. This has introduced a considerable amount of confusion at the State and local level because of varying requirements and regulations.

The committee believes it is now time to eliminate this confusion and place full authority in the hands of the Department of Agriculture for the conduct and supervision of Federal programs to assist schools in providing food service programs for children.

Over a period of many years the Department of Agriculture has demonstrated a capability for effective and efficient administration of a variety of food assistance programs designed to help improve nutrition among children and among low-income families.

They have done an excellent job not only with the national school lunch and special milk programs but with the commodity donation and food stamp programs as well. These are all related programs and require the type of coordinated approach and operation the Department of Agriculture has demonstrated it can deliver. The Department has developed the necessary lines of administration and communication through the appropriate State agencies to participating local jurisdictions. They have also developed a wide range of technical aids and techniques for use by State and local agencies in educating children and low-income families on the essentials of good nutrition.

The administration of these food assistance programs is an important part of the Department of Agriculture's total responsibility to farmers and consumers.

#### PRESCHOOL PROGRAMS

There are many changes underway in our educational system. One of the new and expanding developments is the growing number of preschool programs carried on by the schools. In order to remove any doubt as to whether or not these children may participate in school food service programs, the Committee has authorized the Secretary of Agriculture to extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

## [Report No. 1787]

MARCH 7, 1966

JULY 29, 1966

[Strike out all after the enacting clause and insert the part printed in *italic*]

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*  
3        That this Act may be cited as the "Child Nutrition Act of  
4        1966".

6        SEC. 2. In recognition of the demonstrated relationship  
7        between food and good nutrition and the capacity of children  
8        to develop and learn, based on the years of cumulative suc-  
9        cessful experience under the national school lunch program  
10       with its significant contributions in the field of applied nutri-



tion research; it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened as a measure to safeguard the health and well-being of the Nation's children; with special effort directed toward improving the nutrition of children from low-income families; and to encourage the domestic consumption of agricultural and other foods; by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

## TITLE I—NATIONAL SCHOOL LUNCH AND CHILD NUTRITION PROGRAM

### AUTHORIZATION

SEC. 101. The Secretary shall formulate and carry out a national school lunch and child nutrition program to assist States, through grants-in-aid and other means, to establish, maintain, and expand nonprofit school food service programs for children.

### APPORTIONMENTS TO STATES

SEC. 102. (a) The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the funds appropriated for the purposes of this title, excluding section 107, for such year for obtaining agricultural and other foods. Apportionment among the States shall be made on the basis of two factors: (1) the participation rate for the State, and (2) the assistance need rate

1 for the State. The amount of apportionment to any State  
2 shall be determined by the following method: First, deter-  
3 mine an index for the State by multiplying factors (1) and  
4 (2); second, divide this index by the sum of the indexes  
5 for all the States; and third, apply the figure thus obtained  
6 to the total funds to be apportioned. If any State cannot  
7 utilize all funds so apportioned to it, or if additional funds  
8 are made available for apportionment under this section  
9 among the States, the Secretary shall make further appor-  
10 tionments to the remaining States in the same manner. Not-  
11 withstanding the foregoing provisions of this section, for the  
12 fiscal year beginning July 1, 1966, the amount apportioned  
13 to American Samoa shall be \$25,000, which amount shall  
14 be first deducted from the funds available for apportionment  
15 in determining the amounts to be apportioned to the other  
16 States.

17 (b) Funds apportioned to any State under section 402  
18 for any fiscal year shall be available for payment to such  
19 State for disbursement by the State educational agency, for  
20 the purpose of assisting schools in that State in obtaining  
21 agricultural and other foods for consumption by children  
22 during such fiscal year. Payments to any State of funds  
23 so apportioned in any fiscal year shall be made upon condi-  
24 tion that each dollar will be matched by three dollars from  
25 sources within the State determined by the Secretary to

1 have been expended in connection with the program under  
2 this title. In the case of any State whose per capita income  
3 is less than the per capita income of the United States, the  
4 matching required for any fiscal year shall be decreased by  
5 the percentage which the State per capita income is below  
6 the per capita income of the United States. For the pur-  
7 pose of determining whether the matching requirements of  
8 this section and section 106, respectively, have been met,  
9 the reasonable value of donated services, supplies, facilities,  
10 and equipment as certified, respectively, by the State educa-  
11 tional agency and, in case of schools receiving funds pur-  
12 suant to section 106, by such schools (but not the cost or  
13 value of land, or of the acquisition, construction, or altera-  
14 tion of buildings or of commodities donated by the Secre-  
15 tary, or of Federal contributions), may be regarded as  
16 funds from sources within the State expended in connection  
17 with the program under this title.

18 DIRECT FEDERAL EXPENDITURES

19 SEC. 103. The funds appropriated for any fiscal year  
20 for carrying out the provisions of this title, excluding section  
21 107, less not to exceed  $3\frac{1}{2}$  per centum thereof hereby made  
22 available to the Secretary for his administrative expenses  
23 under this Act, less the amount apportioned by him pursu-  
24 ant to sections 102 and 106, shall be available to the Secre-  
25 tary during such year for direct expenditure by him for agri-



1 cultural and other foods to be distributed among the States  
2 and schools participating in the program under this title  
3 in accordance with the needs as determined by the local  
4 school authorities. The provisions of law contained in the  
5 proviso of the Act of June 28, 1937 (50 Stat. 323), facili-  
6 tating operations with respect to the purchase and disposi-  
7 tion of surplus agricultural commodities under section 32 of  
8 the Act approved August 24, 1935 (49 Stat. 774), as  
9 amended, shall to the extent not inconsistent with the pro-  
10 visions of this title, also be applicable to expenditures of  
11 funds by the Secretary under this title.

#### 12 STATE DISBURSEMENT TO SCHOOLS

13 SEC. 104. Funds apportioned under section 102 and  
14 paid to any State shall be disbursed by the State educational  
15 agency to those schools in the State which the State educa-  
16 tional agency, taking into account need and attendance, de-  
17 termines are eligible to participate in the program under this  
18 title. Disbursement to any school shall be made only for the  
19 purpose of reimbursing it for the cost of obtaining agri-  
20 cultural and other foods for consumption by children in the  
21 program. Such food costs may include, in addition to the  
22 purchase price of agricultural and other foods, the cost of  
23 processing, distributing, transporting, storing, and handling.  
24 In no event shall such disbursement for food to any school for  
25 any fiscal year exceed an amount determined by multiplying

1 the number of lunches served in the school in the program  
2 under this title during such year by the maximum Federal  
3 food-cost distribution rate for the State, for the type of lunch  
4 served, as prescribed by the Secretary for schools other than  
5 those receiving special assistance under section 107.

#### 6 NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

7 SEC. 105. Lunches served by schools participating in the  
8 program under this title shall consist of a combination of  
9 foods and shall meet minimum nutritional requirements pre-  
10 scribed by the Secretary on the basis of tested nutritional  
11 research. Such meals shall be served without cost or at a  
12 reduced cost to children who are determined by local school  
13 authorities to be unable to pay the full cost of the lunch.  
14 In making such determinations, such local authorities should,  
15 to the extent practicable, consult with public welfare and  
16 health agencies. No physical segregation of or other dis-  
17 crimination against any child shall be made by the school  
18 because of his inability to pay.

#### 19 NONPROFIT PRIVATE SCHOOLS

20 SEC. 106. If in any State the State educational agency  
21 is not permitted by law to disburse the funds paid to it under  
22 this title to nonprofit private schools in the State, or is not  
23 permitted by law to match Federal funds made available for  
24 use by such nonprofit private schools, the Secretary shall  
25 withhold from the funds apportioned to any such State under

1 section 102 of this title an amount which bears the same  
2 ratio to such funds as the number of lunches, consisting of a  
3 combination of foods and meeting the minimum requirements  
4 prescribed by the Secretary pursuant to section 105, served  
5 in the preceding fiscal year by all nonprofit private schools  
6 participating in the program under this title within the State,  
7 as determined by the Secretary, bears to the participation  
8 rate for the State. The Secretary shall disburse the funds  
9 so withheld directly to the nonprofit private schools within  
10 such State for the same purposes and subject to the same  
11 conditions as are required of a State educational agency dis-  
12 bursing funds made available under section 102 of this title,  
13 including the requirement that any such payment or pay-  
14 ments shall be matched, in the proportion specified in section  
15 102-(b) of this title for such State, by funds from sources  
16 within the State expended by nonprofit private schools within  
17 the State participating in the program under this title. Such  
18 funds shall not be considered a part of the funds constituting  
19 the matching funds under section 102-(b) of this title.

20 SPECIAL ASSISTANCE

21 SEC. 107. (a) The Secretary shall, with funds ap-  
22 propriated for special assistance under this section, provide  
23 such assistance to schools drawing attendance from areas in  
24 which poor economic conditions exist, for the purpose of help-  
25 ing such schools meet the requirements of section 105 of this



1 title with respect to the service of lunches to children unable  
2 to pay the full cost of such lunches.

3 (b) Of the sums available for the purposes of this sec-  
4 tion for any fiscal year, 3 per centum shall be available for  
5 apportionment to Puerto Rico, the Virgin Islands, Guam,  
6 and American Samoa. Of the funds available for such  
7 States, the Secretary shall apportion to each such State an  
8 amount which bears the same ratio to the total of such funds  
9 as the number of free or reduced-price lunches served in  
10 accordance with section 105 of this title in such State in  
11 the preceding fiscal year bears to the total number of such  
12 free or reduced-price lunches served in all such States in  
13 the preceding fiscal year: *Provided*, That for the fiscal year  
14 ending June 30, 1967, \$5,000 shall be apportioned to  
15 American Samoa, which amount shall be first deducted from  
16 the total amount available for apportionment under this sub-  
17 section. If any such State cannot utilize all of the funds  
18 apportioned to it for the purpose of this section the Secretary  
19 shall make further apportionment, on the same basis as the  
20 initial apportionment, to any of the other such States which  
21 justify the need for additional funds for such purpose.

22 (c) Of the remaining sums appropriated for the pur-  
23 poses of this section for any fiscal year, not less than 50 per  
24 centum shall be apportioned among States, other than  
25 Puerto Rico, the Virgin Islands, Guam, and American

1   Samoa; on the basis of the following factors for each State:  
2   ~~(1)~~ the number of free or reduced-price lunches served in  
3   accordance with section 405 of this title in the preceding  
4   fiscal year; and ~~(2)~~ the assistance need rate. These factors  
5   shall be applied in the following manner: First, determine  
6   an index for each State by multiplying factors ~~(1)~~ and ~~(2)~~;  
7   second, divide this index by the sum of the indexes for all  
8   such States; and, third, apply the figure thus obtained to  
9   the total funds to be apportioned. If any such State can-  
10   not utilize all of the funds apportioned to it for the purpose  
11   of this section the Secretary shall make further apportion-  
12   ment of such funds together with the remainder of the funds  
13   available under this subsection, on the same basis as the  
14   initial apportionment, to any of the other such States which  
15   justify the need for additional funds for such purpose.

16       ~~(d)~~ Funds apportioned and paid to any State for the  
17   purpose of this section shall be disbursed to selected schools  
18   in such State to assist such schools in the purchase of agri-  
19   cultural and other foods and in meeting operational costs as  
20   provided in subsection ~~(e)~~ of this section. The selection of  
21   schools and the amounts of funds that each shall from time  
22   to time receive (within a maximum per lunch amount estab-  
23   lished by the Secretary for all the States); shall be deter-  
24   mined by the State educational agency on the basis of the

1 following factors: ~~(1)~~ the economic condition of the area  
2 from which such schools draw attendance; ~~(2)~~ the needs of  
3 children in such schools for free or reduced-price lunches;  
4 ~~(3)~~ the percentages of free and reduced-price lunches being  
5 served in such schools to children; ~~(4)~~ the prevailing price  
6 of lunches in such schools as compared with the average  
7 prevailing price of lunches served in the State under this  
8 title; and ~~(5)~~ the need of such schools for additional assist-  
9 ance as reflected by the financial position of the lunch pro-  
10 grams in such schools.

11 ~~(c)~~ In circumstances of severe need where the maxi-  
12 mum rate per lunch established by the Secretary is deemed  
13 insufficient to carry on an effective feeding program in a  
14 school, the Secretary may authorize financial assistance not  
15 to exceed 90 per centum of the operating costs of such a  
16 program, including the cost of obtaining, preparing, and  
17 serving food.

18 ~~(f)~~ If in any State the State educational agency is not  
19 permitted by law to disburse funds paid to it under this title  
20 to nonprofit private schools in the State, the Secretary shall  
21 withhold from the funds apportioned to such State under  
22 subsections ~~(b)~~ or ~~(c)~~ of this section an amount which bears  
23 the same ratio to such funds as the number of free and re-  
24 duced-price lunches served in accordance with section 105 of  
25 this title in the preceding fiscal year by all nonprofit private



1 schools participating in the program under this title in such  
2 State bears to the number of such free and reduced-price  
3 lunches served during such year by all schools participating  
4 in the program under this title in such State. The Secretary  
5 shall disburse the funds so withheld directly to the nonprofit  
6 private schools within such State for the same purposes and  
7 subject to the same conditions as are required of a State edu-  
8 cational agency disbursing funds made available under this  
9 section.

10       ~~(g)~~ In carrying out this section, the terms and condi-  
11 tions governing the operation of the program set forth in the  
12 other sections of this title, including those applicable to funds  
13 apportioned pursuant to section 102, but excluding the pro-  
14 visions relating to matching, shall be applicable to the extent  
15 they are not inconsistent with the express provisions of this  
16 section.

## 17           TITLE II—SPECIAL MILK PROGRAM

### 18                   AUTHORIZATION

19       SEC. 201. The Secretary shall formulate and carry out  
20 a Special Milk Program to assist States through grants-in-  
21 aid to establish, maintain, and expand nonprofit programs to  
22 increase the consumption of fluid whole milk by children,  
23 and particularly by needy children, in schools and nonprofit  
24 institutions.

## APPORTIONMENT TO STATES

1  
2       ~~SEC. 202.~~ (a) For each of the fiscal years 1967 and  
3 1968, 50 per centum of the funds appropriated for the pur-  
4 poses of this title shall be apportioned among the fifty States  
5 and the District of Columbia on the basis of the ratio of the  
6 number of children of ages five through seventeen in each of  
7 the fifty States and the District of Columbia to the number of  
8 all children of ages five through seventeen in the fifty States  
9 and the District of Columbia.

10       (b) The remaining 50 per centum of the funds for each  
11 of the fiscal years 1967 and 1968 shall be held by the Sec-  
12 retary in reserve and may be advanced to any of the fifty  
13 States and the District of Columbia on justification of need.

14       (c) For fiscal year 1969 and each fiscal year thereafter  
15 the funds appropriated for the purposes of this title shall be  
16 apportioned among the fifty States and the District of  
17 Columbia on the basis of the ratio of the number of half  
18 pints of milk reimbursed with funds apportioned under this  
19 section in each such State in the preceding fiscal year, as  
20 determined by the Secretary, to the total number of half  
21 pints of milk reimbursed with funds apportioned under this  
22 section in the fifty States and the District of Columbia in the  
23 preceding fiscal year as determined by the Secretary.

## STATE DISBURSEMENT TO SCHOOLS

SEC. 203. Fund apportioned and paid to any State for the purpose of this title shall be disbursed to schools and nonprofit institutions, determined to be eligible by the State educational agency, on the basis of the following priorities: First, to schools without a food service; second, for needy children in schools with a food service; and third, if available funds permit, to schools and nonprofit institutions for all children. Disbursement shall be made at such rates per half pint of fluid whole milk as the Secretary shall prescribe and shall not exceed the cost to the school or nonprofit institution of obtaining such milk for service to children.

## NONPROFIT PRIVATE SCHOOLS AND PRIVATE NONPROFIT INSTITUTIONS

SEC. 204. If in any State the State educational agency is not permitted by law to disburse funds paid to it under this title to nonprofit private schools and private nonprofit institutions in the State, the Secretary shall withhold from the funds apportioned to such State under section 202 of this title an amount in each of the fiscal years 1967 and 1968 which bears the same ratio to the funds apportioned to the State as the number of children of ages five through



1   seventeen enrolled in nonprofit private schools within the  
2   State is of the total number of children of ages five through  
3   seventeen enrolled in schools within the State. Each fiscal  
4   year thereafter, the Secretary shall withhold from the funds  
5   apportioned to any such State under section 202 of this title  
6   an amount which bears the same ratio to such funds as the  
7   number of one-half pints of milk for which nonprofit private  
8   schools and nonprofit private institutions were reimbursed  
9   in the preceding fiscal year is of the total number of one-half  
10   pints of milk for which all schools and nonprofit institutions  
11   participating in the program under this title in the State were  
12   reimbursed. The Secretary shall disburse the funds so with-  
13   held directly to the nonprofit private schools and nonprofit  
14   institutions within such State for the same purposes and sub-  
15   ject to the same conditions as are required of a State educa-  
16   tional agency disbursing funds made available under this title.

### 17       TITLE III—SCHOOL BREAKFAST PROGRAM

#### 18                               AUTHORIZATION

19       SEC. 301. The Secretary shall formulate and carry out  
20   a pilot program to assist States through grants-in-aid and  
21   other means, to initiate, maintain or expand nonprofit break-  
22   fast programs in schools drawing attendance from areas in  
23   which poor economic conditions exist and in schools to

1 which a substantial proportion of the children enrolled must  
2 travel long distances.

3 APPORTIONMENT TO STATES

4 SEC. 302. (a) Of the funds appropriated for the pur-  
5 poses of this title for any fiscal year, the Secretary shall  
6 reserve 3 per centum for apportionment to Guam, the  
7 Virgin Islands, Puerto Rico, and American Samoa. Such  
8 funds shall be apportioned among such States on the basis  
9 of the ratio of the number of children of ages five through  
10 seventeen in each such State to the number of all children  
11 of ages five through seventeen in all such States.

12 (b) Of the remainder of the funds appropriated, the  
13 Secretary shall for each fiscal year, (1) apportion the  
14 first \$2,500,000 equally among the States, other than Guam,  
15 the Virgin Islands, Puerto Rico, and American Samoa, and  
16 (2) shall apportion the remainder among such States on the  
17 basis of the ratio of the number of children in each State  
18 of ages five through seventeen in families with incomes of  
19 less than \$2,000 per annum plus the number of children of  
20 ages five through seventeen in families receiving more than  
21 \$2,000 per annum from payments under the Department of  
22 Health, Education, and Welfare's program of aid to families

1 with dependent children to the total number of such children  
2 in the fifty States and the District of Columbia.

3 STATE DISBURSEMENT TO SCHOOLS

4 SEC. 303. (a) Funds apportioned and paid to any State  
5 for the purpose of this title shall be disbursed by the State  
6 educational agency to schools selected by the State educa-  
7 tional agency, to reimburse such schools for the cost of  
8 obtaining agricultural and other foods for consumption by  
9 children in a breakfast program and for the purpose of sub-  
10 section (b). Such food costs may include, in addition to  
11 the purchase price, the cost of processing, distributing, trans-  
12 porting, storing, and handling. Disbursement to schools  
13 shall be made at such rates per meal or on such other basis  
14 as the Secretary shall prescribe. In selecting schools, the  
15 State educational agency shall, to the extent practicable, give  
16 first consideration to those schools drawing attendance from  
17 areas in which poor economic conditions exist.

18 (b) In circumstances of severe need where the rate  
19 per meal established by the Secretary is deemed by him  
20 insufficient to carry on an effective breakfast program in a  
21 school, the Secretary may authorize financial assistance up  
22 to 90 per centum of the operating costs of such a program,  
23 including cost of obtaining, preparing, and serving food.



## NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 304. Breakfast served by schools participating in the school breakfast program under this title shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

## NONPROFIT PRIVATE SCHOOLS

SEC. 305. If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this title to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under section 302 of this title an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children

1 enrolled in all schools within the State. The Secretary  
2 shall disburse the funds so withheld directly to the nonprofit  
3 private schools within such State for the same purposes and  
4 subject to the same conditions as are required of a State  
5 educational agency disbursing funds made available under  
6 this title.

7 TITLE IV—SPECIAL FOOD SERVICE PROGRAMS  
8 FOR NEEDY CHILDREN

9 AUTHORIZATION

10 SEC. 401. In further recognition of the impact of inad-  
11 equate nutrition on the health and well-being of children,  
12 particularly those from low-income families, the Secretary  
13 shall formulate and carry out a pilot program to assist non-  
14 profit institutions such as child day-care centers, settlement  
15 houses, and summer camps, which do not maintain children  
16 in residence for periods in excess of three months and which  
17 draw attendance from areas in which poor economic condi-  
18 tions exist, to establish, maintain, and expand food service  
19 for children in group situations away from home.—Such food  
20 service may be furnished on a seasonal or more extended  
21 basis.

22 APPORTIONMENT TO STATES

23 SEC. 402. (a) Of the funds appropriated for the pur-  
24 poses of this title for any fiscal year, the Secretary shall re-  
25 serve 3 per centum for apportionment to Guam, Puerto Rico,

1 the Virgin Islands, and American Samoa. Such funds shall  
2 be apportioned among such States on the basis of the number  
3 of children of ages five through seventeen in each such State  
4 to the number of all children of ages five through seventeen  
5 in all such States.

6 (b) Of the remainder of the funds appropriated, the  
7 Secretary shall, for each fiscal year ~~(1)~~ apportion such sums  
8 as he deems appropriate but not more than \$50,000 to each  
9 State, other than Guam, Puerto Rico, the Virgin Islands,  
10 and American Samoa, as a basic grant, and ~~(2)~~ apportion  
11 the remainder among such States on the basis of the ratio of  
12 the number of children in each State of ages five through  
13 seventeen in families with incomes of less than \$2,000 per  
14 annum plus the number of children of ages five through  
15 seventeen in families receiving more than \$2,000 per annum  
16 from payments under the Department of Health, Education,  
17 and Welfare's program of aid to families with dependent chil-  
18 dren to the total number of such children in the fifty States  
19 and the District of Columbia.

20 (c) If any State cannot utilize all funds so apportioned  
21 to it, or if additional funds are made available for apportion-  
22 ment under this section among the States, the Secretary shall  
23 make further apportionments to the remaining States in the  
24 same manner.



### ~~DISBURSEMENT BY STATES~~

2        SEC. 403. ~~(a)~~ Funds apportioned and paid to any State  
3    for the purpose of this title shall be disbursed by the State  
4    educational agency to nonprofit institutions selected by the  
5    State educational agency to reimburse such nonprofit institu-  
6    tions for the cost of obtaining agricultural and other foods  
7    and for the purposes of subsections ~~(b)~~ and ~~(c)~~ of this  
8    section. The costs of obtaining agricultural and other foods  
9    may include the cost of processing, distributing, transporting  
10   or handling thereof. Disbursement to participating institu-  
11   tions shall be made at such rates of reimbursement per meal  
12   or on such other basis as the Secretary shall prescribe. In  
13   selecting the nonprofit institutions, the State educational  
14   agency shall to the extent practicable, give first considera-  
15   tion to those institutions with the highest proportion of  
16   children from low-income families.

(b) In circumstances of severe need where the rate per meal established by the Secretary is insufficient to carry on an effective feeding program, the Secretary may authorize financial assistance not to exceed 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food.

(e) Not to exceed 25 per centum of the funds paid to  
any State may be used by the State to assist nonprofit in-

1 institutions serving needy children in the purchase or rental  
2 of facilities, other than land and buildings, for the storage,  
3 preparation, transportation, and serving of food to enable  
4 such institutions to establish, maintain, and expand food  
5 service under this title.

6 DIRECT PAYMENTS

7 SEC. 404. If in any State the State educational agency  
8 is not permitted by law or is otherwise unable to disburse  
9 the funds paid to it under this title to any nonprofit institu-  
10 tion in the State, the Secretary shall withhold all funds ap-  
11 portioned under this title and shall disburse the funds so with-  
12 held directly to nonprofit institutions in the State for the  
13 same purposes and subject to the same conditions as are  
14 required of a State educational agency disbursing funds made  
15 available under this title.

16 OBLIGATION OF FUNDS

17 SEC. 405. Notwithstanding the provisions of any other  
18 law, balances of funds appropriated for the purposes of this  
19 section and unobligated at the end of any fiscal year shall  
20 remain available for obligation during the first three months  
21 of the following fiscal year only to assist those child-feeding  
22 activities that are wholly seasonal in nature, such as summer  
23 camps and summer recreational programs.

## 1       NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

2       SEC. 406. Nonprofit institutions to which funds are dis-  
3       bursed under this title shall serve meals consisting of a  
4       combination of foods and meeting minimum nutritional  
5       standards prescribed by the Secretary on the basis of tested  
6       nutritional research. Such meals shall be served without  
7       cost or at a reduced cost to children determined by such  
8       institutions to be unable to pay the full cost. In making  
9       such determination, institutional authorities should, to the  
10      extent practicable, consult with public welfare and health  
11      agencies. No physical segregation or other discrimination  
12      against any child shall be made because of his inability to  
13      pay.

## 14      TITLE V—NONFOOD ASSISTANCE PROGRAM

## 15                                   AUTHORIZATION

16      SEC. 501. The Secretary shall formulate and carry out  
17      a program to assist the States through grants-in-aid and  
18      other means to supply schools drawing attendance from  
19      areas in which poor economic conditions exist with facilities,  
20      other than land and buildings, for the storage, preparation,  
21      transportation, and serving of food to enable such schools to  
22      establish, maintain, and expand school food service programs.

## 23                                   APPORTIONMENTS TO STATES

24      SEC. 502. The Secretary shall apportion the funds ap-  
25      propriated for the purposes of this title among the States



1 during each fiscal year on the same basis as apportionments  
2 are made under section 102 of title I of this Act for supply-  
3 ing agricultural and other foods, except that apportionment  
4 to American Samoa for any fiscal year shall be on the same  
5 basis as the apportionment to the other States. Payments  
6 to any State of funds apportioned for any fiscal year shall  
7 be made upon condition that one-fourth of the cost of any  
8 facilities financed under this title shall be borne by State or  
9 local funds.

#### 10 STATE DISBURSEMENT TO SCHOOLS

11 SEC. 503. Funds apportioned and paid to any State for  
12 the purpose of this title shall be disbursed by the State edu-  
13 cational agency to assist schools, which draw attendance  
14 from areas in which poor economic conditions exist and  
15 which have no, or grossly inadequate, facilities, to conduct  
16 a school food service program, and to acquire such facilities.  
17 Disbursements to any school may be made, by advances or  
18 reimbursements, only after approval by the State educational  
19 agency of a request by the school for funds, accompanied by  
20 a detailed description of the facilities to be acquired and the  
21 plans for the use thereof in effectively meeting the nutri-  
22 tional needs of children in the school.

#### 23 NONPROFIT PRIVATE SCHOOLS

24 SEC. 504. If in any State the State educational agency  
25 is not permitted by law to disburse the funds paid to it

1 under this title to nonprofit private schools in the State, the  
2 Secretary shall withhold from the funds apportioned to such  
3 State under section 502 an amount which bears the same  
4 ratio to such funds as the number of lunches, consisting of a  
5 combination of foods and meeting the minimum requirements  
6 prescribed by the Secretary under section 105 of this Act,  
7 served in the preceding fiscal year by all nonprofit private  
8 schools participating in the program under title I within the  
9 State, as determined by the Secretary, bears to the participa-  
10 tion rate for the State. The Secretary shall disburse the  
11 funds so withheld directly to the nonprofit private schools  
12 within such State for the same purposes and subject to the  
13 same conditions as are required of a State educational agency  
14 disbursing funds made available under this title.

## 15 TITLE VI—DEFINITIONS AND GENERAL 16 PROVISIONS

### 17 DEFINITIONS

18 SEC. 601. For the purposes of this Act—

19 (a) "State" means any of the fifty States, the District  
20 of Columbia, the Commonwealth of Puerto Rico, the Virgin  
21 Islands, Guam, or American Samoa.

22 (b) "State educational agency" means, as the State  
23 legislature may determine, (1) the chief State school officer  
24 (such as the State superintendent of public instruction, com-  
25 missioner of education, or similar officer), or (2) a board

1 of education controlling the State department of education.

2 ~~(c)~~ "Nonprofit private school" means any private school  
3 exempt from income tax under section 501~~(c)~~~~(3)~~ of the  
4 Internal Revenue Code of 1954.

5 ~~(d)~~ "Nonprofit institution" means any public or pri-  
6 vate institution, except a school or other educational institu-  
7 tion of higher learning, which provides for the care and  
8 training of children and no part of the earnings of which  
9 inures to the benefit of any private shareholder or institution.

10 ~~(e)~~ "Participation rate" for a State means a number  
11 equal to the total number of lunches, consisting of a combina-  
12 tion of foods and meeting the minimum requirements pre-  
13 scribed by the Secretary pursuant to section 105 of this Act,  
14 served in the preceding fiscal year by schools participating  
15 in the program under title I of this Act in the State, as  
16 determined by the Secretary.

17 ~~(f)~~ "Assistance need rate" ~~(1)~~ in the case of any  
18 State whose per capita income is equal to or greater than  
19 the annual per capita income for all the States, shall be  
20 five; and ~~(2)~~ in the case of any State having an average  
21 annual per capita income less than the average annual per  
22 capita income for all the States; shall be the product of five  
23 and the quotient obtained by dividing the average annual  
24 per capita income for all the States by the average annual



1 per capita income for such State, except that such product  
2 may not exceed nine for any such State. For the purposes  
3 of this paragraph the average annual per capita income for  
4 any State and for all the States shall be determined by the  
5 Secretary on the basis of the average annual per capita  
6 income for each State and for all the States for the three most  
7 recent years for which such data are available; and the  
8 average annual per capita income for American Samoa shall  
9 be disregarded in determining the average annual per capita  
10 income for all the States for periods ending before July 1,  
11 1967.

12 (g) "School" means any public or nonprofit private  
13 school of high school grade and under, including kindergarten  
14 and preschool programs operated by such school.

15 (h) "Secretary" means the Secretary of Agriculture.

16 ACCOUNTS AND RECORDS

17 SEC. 602. States, State educational agencies, schools,  
18 and nonprofit institutions participating in programs under  
19 this Act shall keep such accounts and records as may be  
20 necessary to enable the Secretary to determine whether there  
21 has been compliance with this Act and the regulations here-  
22 under. Such accounts and records shall at all times be  
23 available for inspection and audit by representatives of the  
24 Secretary and shall be preserved for such period of time,

1 not in excess of three years, as the Secretary determines is  
2 necessary.

3 PROHIBITIONS

4 SEC. 603. (a) In carrying out the provisions of this  
5 Act, neither the Secretary nor the State shall impose any  
6 requirements with respect to teaching personnel, curriculum,  
7 instruction, methods of instruction, and materials of instruc-  
8 tion in any school or nonprofit institution.

9 (b) The value of assistance to children under this Act  
10 shall not be considered to be income or resources for any  
11 purpose under any Federal or State laws including, but not  
12 limited to, laws relating to taxation, welfare, and public  
13 assistance programs.

14 (c) Expenditures of funds from State and local sources  
15 for the maintenance of food programs for children shall not  
16 be diminished as a result of funds received under this Act.

17 PAYMENTS TO STATES

18 SEC. 604. The Secretary shall certify to the Secretary  
19 of the Treasury from time to time the amounts to be paid  
20 to any State under this Act and the time or times such  
21 amounts are to be paid; and the Secretary of the Treasury  
22 shall pay to the State at the time or times fixed by the  
23 Secretary the amounts so certified.

## STATE ADMINISTRATIVE EXPENSES

SEC. 605. The Secretary may utilize not to exceed  $1\frac{1}{2}$  per centum of the total funds appropriated under this Act for any fiscal year for advances to each State educational agency for use for its administrative expenses in carrying out programs under this Act: *Provided*, That no such agency shall receive a sum greater than 1 per centum of the funds apportioned to it under this Act, or \$7,500, whichever is greater. The amount of such payments shall be deducted from such appropriated funds prior to any apportionment thereof under this Act.

## SELECTION OF SCHOOLS

SEC. 606. In the selection of schools to receive Federal assistance under section 407 and under titles II, III, IV and V of this Act and in the selection of nonprofit institutions to receive assistance under title IV of this Act, the State agency shall adopt the methods and procedures necessary to assure coordination with and give, where the need is comparable, preference to programs carried on under the Elementary and Secondary Education Act of 1965 and the Economic Opportunity Act of 1964 in such schools or institutions.

## UTILIZATION OF FOODS

SEC. 607. Each school and nonprofit institution participating under this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secre-



1 tary as being in abundance, either nationally or in the school  
 2 area, or foods donated by the Secretary. Foods available  
 3 under section 416 of the Agricultural Act of 1949 (63 Stat.  
 4 1058), as amended, or purchased under section 32 of the  
 5 Act of August 24, 1935 (49 Stat. 774), as amended, or  
 6 section 709 of the Food and Agricultural Act of 1965 (79  
 7 Stat. 1212), may be donated by the Secretary to schools, in  
 8 accordance with the needs as determined by local school  
 9 authorities, and to nonprofit institutions for utilization in  
 10 their feeding programs under this Act, as well as to other  
 11 schools carrying out nonprofit school lunch programs and  
 12 other institutions authorized to receive such foods.

#### 13 NONPROFIT PROGRAMS

14 SEC. 608. The food and milk service programs in schools  
 15 and nonprofit institutions receiving assistance under this Act  
 16 shall be conducted on a nonprofit basis.

#### 17 STATISTICAL DATA

18 SEC. 609. Data on numbers of children of ages five  
 19 through seventeen and on per capita income shall be made  
 20 available by the Secretary of Commerce to the Secretary  
 21 and, except where otherwise expressly stated in this Act,  
 22 shall be the latest available.

#### 23 REGULATIONS

24 SEC. 610. The Secretary shall prescribe such regula-  
 25 tions as he may deem necessary to carry out this Act.

~~APPROPRIATIONS AUTHORIZED~~

SEC. 611. For each fiscal year there is hereby authorized to be appropriated such funds as may be necessary to enable the Secretary to carry out each of the titles of this Act: *Provided, however,* That no appropriation shall be made for purposes of titles III and IV for any fiscal year commencing on or after July 1, 1969, unless otherwise expressly authorized.

~~EFFECTIVE DATES~~

SEC. 612. This Act shall be effective upon enactment, except that titles I and II of this Act shall be effective beginning with the first fiscal year after enactment and shall supersede, respectively, the National School Lunch Act (60 Stat. 230), as amended, and the Act of July 1, 1958 (72 Stat. 276), as amended. For the first year of operation, references in title I and title II of this Act to participation in the preceding fiscal year shall refer to participation, respectively, in the programs under the National School Lunch Act, as amended, and the Act of July 1, 1958, as amended. That this Act may be cited as the "Child Nutrition Act of 1966".

## DECLARATION OF PURPOSE

*SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative suc-*

1 *cessful experience under the national school lunch program*  
2 *with its significant contributions in the field of applied nutri-*  
3 *tion research, it is hereby declared to be the policy of Con-*  
4 *gress that these efforts shall be extended, expanded, and*  
5 *strengthened under the authority of the Secretary of Agri-*  
6 *culture as a measure to safeguard the health and well-being*  
7 *of the Nation's children, and to encourage the domestic con-*  
8 *sumption of agricultural and other foods, by assisting States,*  
9 *through grants-in-aid and other means, to meet more effec-*  
10 *tively the nutritional needs of our children.*

11 *SPECIAL MILK PROGRAM*

12 *AUTHORIZATION*

13 *SEC. 3. There is hereby authorized to be appropriated*  
14 *for the fiscal year ending June 30, 1967, not to exceed*  
15 *\$110,000,000; for the fiscal year ending June 30, 1968, not*  
16 *to exceed \$115,000,000; and for each of the two succeeding*  
17 *fiscal years not to exceed \$120,000,000, to enable the Secre-*  
18 *tary of Agriculture, under such rules and regulations as he*  
19 *may deem in the public interest, to encourage consumption of*  
20 *fluid milk by children in the United States in (1) nonprofit*  
21 *schools of high school grade and under, and (2) nonprofit*  
22 *nursery schools, child-care centers, settlement houses, sum-*  
23 *mer camps, and similar nonprofit institutions devoted to the*  
24 *care and training of children. For the purpose of this sec-*  
25 *tion "United States" means the fifty States and the District*



1 of Columbia. The Secretary shall administer the special  
2 milk program provided for by this section to the maximum  
3 extent practicable in the same manner as he administered  
4 the special milk program provided for by Public Law 85--  
5 478, as amended, during the fiscal year ended June 30,  
6 1966.

#### 7 SCHOOL BREAKFAST PROGRAM

#### 8 AUTHORIZATION

9 SEC. 4. (a) There is hereby authorized to be appropri-  
10 ated for the fiscal year ending June 30, 1967, not to ex-  
11 ceed \$7,500,000; and for the fiscal year ending June 30,  
12 1968, not to exceed \$10,000,000, to enable the Secretary  
13 to formulate and carry out a pilot program to assist States  
14 through grants-in-aid and other means, to initiate, maintain,  
15 or expand nonprofit breakfast programs in schools.

#### 16 APPORTIONMENT TO STATES

17 (b) Of the funds appropriated for the purposes of this  
18 section, the Secretary shall for each fiscal year, (1) appor-  
19 tion \$2,600,000 equally among the States other than Guam,  
20 the Virgin Islands, and American Samoa, and \$45,000  
21 equally among Guam, the Virgin Islands, and American  
22 Samoa, and (2) apportion the remainder among the States  
23 in accordance with the apportionment formula contained in  
24 section 4 of the National School Lunch Act, as amended.

## 1                    STATE DISBURSEMENT TO SCHOOLS

2            (c) Funds apportioned and paid to any State for the  
3 purpose of this section shall be disbursed by the State educa-  
4 tional agency to schools selected by the State educational  
5 agency, to reimburse such schools for the cost of obtaining  
6 agricultural and other foods for consumption by needy  
7 children in a breakfast program and for the purpose of sub-  
8 section (e). Such food costs may include, in addition to  
9 the purchase price, the cost of processing, distributing, trans-  
10 porting, storing, and handling. Disbursement to schools  
11 shall be made at such rates per meal or on such other basis  
12 as the Secretary shall prescribe. In selecting schools, the  
13 State educational agency shall, to the extent practicable, give  
14 first consideration to those schools drawing attendance from  
15 areas in which poor economic conditions exist and to those  
16 schools to which a substantial proportion of the children  
17 enrolled must travel long distances daily.

18            (d) In circumstances of severe need where the rate  
19 per meal established by the Secretary is deemed by him in-  
20 sufficient to carry on an effective breakfast program in a  
21 school, the Secretary may authorize financial assistance up to  
22 80 per centum of the operating costs of such a program,  
23 including cost of obtaining, preparing, and serving food. In  
24 the selection of schools to receive assistance under this sec-

tion, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(e) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

### NONPROFIT PRIVATE SCHOOLS

(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

### NONFOOD ASSISTANCE PROGRAM

#### AUTHORIZATION

SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30,



1 1968, not to exceed \$15,000,000, for each of the two fiscal  
2 years ending June 30, 1969, and June 30, 1970, not to  
3 exceed \$18,000,000, and for each fiscal year thereafter such  
4 sums as the Congress may hereafter authorize, to enable  
5 the Secretary to formulate and carry out a program to assist  
6 the States through grants-in-aid and other means to supply  
7 schools drawing attendance from areas in which poor eco-  
8 nomic conditions exist with facilities, other than land and  
9 buildings, for the storage, preparation, transportation, and  
10 serving of food to enable such schools to establish, maintain,  
11 and expand school food service programs. In the case of  
12 nonprofit private schools, such facilities shall be for use of  
13 such schools principally in connection with child feeding pro-  
14 grams authorized in this Act and in the National School  
15 Lunch Act, as amended, and in the event the facilities are no  
16 longer so used, that part of such facilities financed with  
17 Federal funds, or the residual value thereof, shall revert to  
18 the United States.

19 APPORTIONMENTS TO STATES

20 (b) The Secretary shall apportion the funds appropri-  
21 ated for the purposes of this section among the States during  
22 each fiscal year on the same basis as apportionments are  
23 made under section 4 of the National School Lunch Act, as  
24 amended, for supplying agricultural and other foods, except  
25 that apportionment to American Samoa for any fiscal year

1 shall be on the same basis as the apportionment to the other  
 2 States. Payments to any State of funds apportioned for any  
 3 fiscal year shall be made upon condition that at least one-  
 4 fourth of the cost of any facilities financed under this sub-  
 5 section shall be borne by State or local funds.

#### 6 STATE DISBURSEMENT TO SCHOOLS

7 (c) Funds apportioned and paid to any State for the  
 8 purpose of this section shall be disbursed by the State edu-  
 9 cational agency to assist schools, which draw attendance from  
 10 areas in which poor economic conditions exist and which  
 11 have no, or grossly inadequate, facilities, to conduct a school  
 12 food service program, and to acquire such facilities. In the  
 13 selection of schools to receive assistance under this section,  
 14 the State educational agency shall require applicant schools  
 15 to provide justification of the need for such assistance and the  
 16 inability of the school to finance the food service equipment  
 17 and facilities needed. Disbursements to any school may be  
 18 made, by advances or reimbursements, only after approval by  
 19 the State educational agency of a request by the school for  
 20 funds, accompanied by a detailed description of the facilities  
 21 to be acquired and the plans for the use thereof in effectively  
 22 meeting the nutritional needs of children in the school.

#### 23 NONPROFIT PRIVATE SCHOOLS

24 (d) The withholding of funds for and disbursement to  
 25 nonprofit private schools will be effected in accordance with

1 *section 10 of the National School Lunch Act, as amended,*  
2 *exclusive of the matching provision thereof.*

3 *PAYMENTS TO STATES*

4 *SEC. 6. The Secretary shall certify to the Secretary*  
5 *of the Treasury from time to time the amounts to be paid*  
6 *to any State under sections 3 through 7 of this Act and the*  
7 *time or times such amounts are to be paid; and the Secretary*  
8 *of the Treasury shall pay to the State at the time or times*  
9 *fixed by the Secretary the amounts so certified.*

10 *STATE ADMINISTRATIVE EXPENSES*

11 *SEC. 7. The Secretary may utilize funds appropriated*  
12 *under this section for advances to each State educational*  
13 *agency for use for its administrative expenses in supervising*  
14 *and giving technical assistance to the local school districts in*  
15 *their conducting of programs under this Act. Such funds*  
16 *shall be advanced only in amounts and to the extent deter-*  
17 *mined necessary by the Secretary to assist such State agen-*  
18 *cies in the administration of additional activities under-*  
19 *taken by them under section 11 of the National School*  
20 *Lunch Act, as amended, and sections 4 and 5 of this Act.*  
21 *There are hereby authorized to be appropriated such sums*  
22 *as may be necessary for the purposes of this section.*

23 *UTILIZATION OF FOODS*

24 *SEC. 8. Each school participating under section 4 of*  
25 *this Act shall, insofar as practicable, utilize in its program*



1 foods designated from time to time by the Secretary as being  
2 in abundance, either nationally or in the school area, or foods  
3 donated by the Secretary. Foods available under section  
4 416 of the Agricultural Act of 1949 (63 Stat. 1058), as  
5 amended, or purchased under section 32 of the Act of August  
6 24, 1935 (49 Stat. 774), as amended, or section 709 of the  
7 Food and Agriculture Act of 1965 (79 Stat. 1212), may  
8 be donated by the Secretary to schools, in accordance with  
9 the needs as determined by local school authorities, for  
10 utilization in their feeding programs under this Act.

11 NONPROFIT PROGRAMS

12 SEC. 9. The food and milk service programs in schools  
13 and nonprofit institutions receiving assistance under this Act  
14 shall be conducted on a nonprofit basis.

15 REGULATIONS

16 SEC. 10. The Secretary shall prescribe such regulations  
17 as he may deem necessary to carry out this Act.

18 PROHIBITIONS

19 SEC. 11. (a) In carrying out the provisions of sections  
20 3 through 5 of this Act, neither the Secretary nor the State  
21 shall impose any requirements with respect to teaching per-  
22 sonnel, curriculum, instruction, methods of instruction, and  
23 materials of instruction.

24 (b) The value of assistance to children under this Act  
25 shall not be considered to be income or resources for any

1 purpose under any Federal or State laws including, but not  
2 limited to, laws relating to taxation, welfare, and public  
3 assistance programs. Expenditures of funds from State and  
4 local sources for the maintenance of food programs for chil-  
5 dren shall not be diminished as a result of funds received  
6 under this Act.

7 CENTRALIZATION OF ADMINISTRATION

8 SEC. 12. Authority for the conduct and supervision of  
9 Federal programs to assist schools in providing food service  
10 programs for children is assigned to the Department of Agri-  
11 culture. To the extent practicable, other Federal agencies  
12 administering programs under which funds are to be pro-  
13 vided to schools for such assistance shall transfer such funds  
14 to the Department of Agriculture for distribution through  
15 the administrative channels and in accordance with the  
16 standards established under this Act and the National School  
17 Lunch Act.

18 PRESCHOOL PROGRAMS

19 SEC. 13. The Secretary may extend the benefits of  
20 all school feeding programs conducted and supervised by the  
21 Department of Agriculture to include preschool programs  
22 operated as part of the school system.

23 SEC. 14. There is hereby authorized to be appropriated  
24 for any fiscal year such sums as may be necessary to the  
25 Secretary for his administrative expense under this Act.

## 1 MISCELLANEOUS PROVISIONS AND DEFINITIONS

2 SEC. 15. *For the purposes of this Act—*3 (a) “State” means any of the fifty States, the District  
4 of Columbia, the Commonwealth of Puerto Rico, the Virgin  
5 Islands, Guam, or American Samoa.6 (b) “State educational agency” means, as the State  
7 legislature may determine, (1) the chief State school officer  
8 (such as the State superintendent of public instruction, com-  
9 missioner of education, or similar officer), or (2) a board  
10 of education controlling the State department of education.11 (c) “Nonprofit private school” means any private school  
12 exempt from income tax under section 501(c)(3) of the  
13 Internal Revenue Code of 1954.14 (d) “School” means any public or nonprofit private  
15 school of high school grade or under, including kindergarten  
16 and preschool programs operated by such school and, with  
17 respect to Puerto Rico, shall also include nonprofit child-  
18 care centers certified as such by the Governor of Puerto Rico.

19 (e) “Secretary” means the Secretary of Agriculture.

## 20 ACCOUNTS AND RECORDS

21 SEC. 16. *States, State educational agencies, schools, and*  
22 *nonprofit institutions participating in programs under this*  
23 *Act shall keep such accounts and records as may be necessary*  
24 *to enable the Secretary to determine whether there has been*  
25 *compliance with this Act and the regulations hereunder.*



1 *Such accounts and records shall at all times be available for*  
2 *inspection and audit by representatives of the Secretary and*  
3 *shall be preserved for such period of time, not in excess of*  
4 *three years, as the Secretary determines is necessary.*

Union Calendar No. 816

89<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 13361**

[Report No. 1787]

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# **A BILL**

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To establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture.

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By Mr. COOLEY

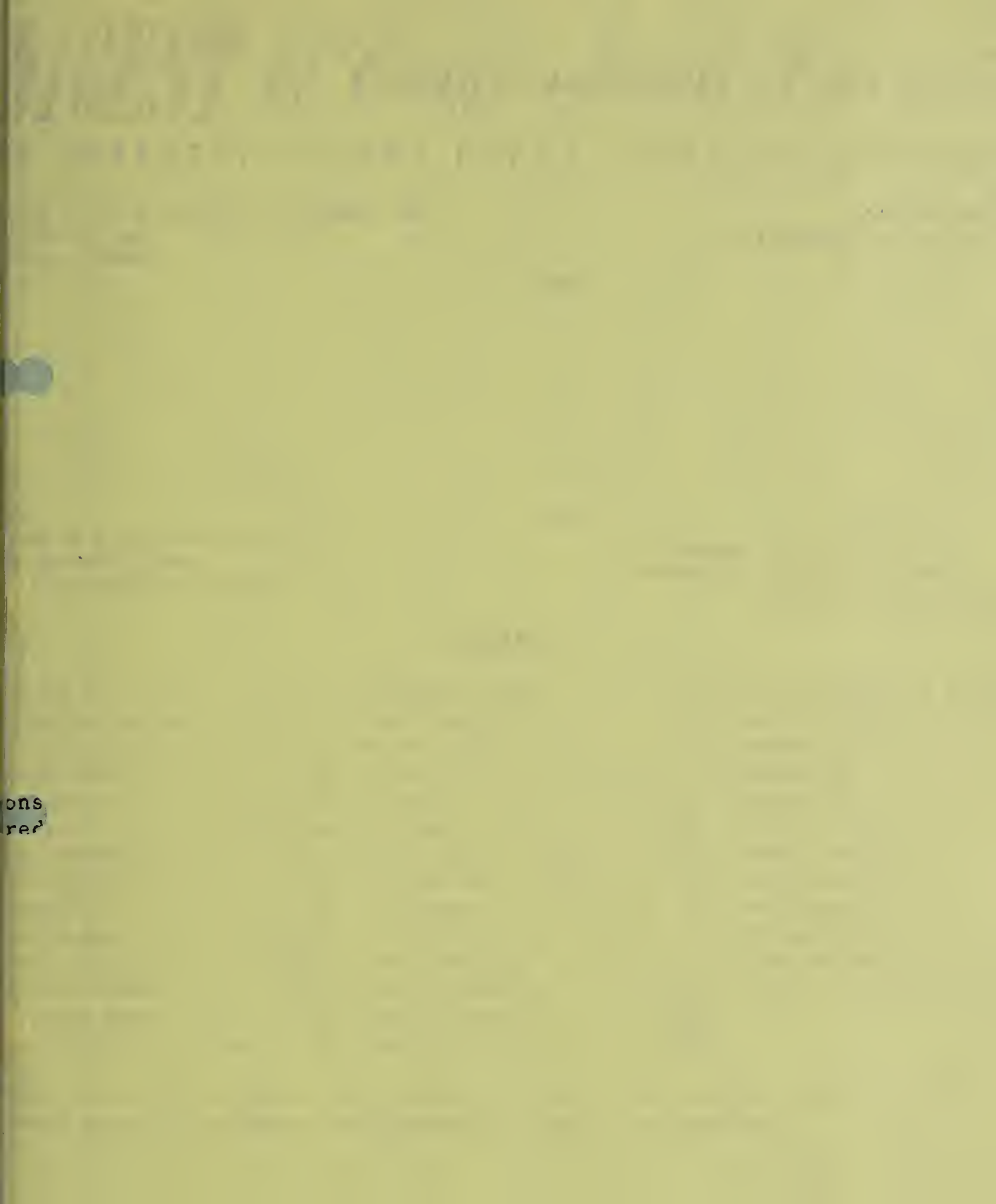
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MARCH 7, 1966

Referred to the Committee on Agriculture

JULY 29, 1966

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed



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# *DIGEST of Congressional Proceedings*

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
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Issued August 4, 1966  
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89th-2nd; No. 126

### CONTENTS

Animal disease.....6	Food-for-peace.....19	Organization of Congress.....7
Child nutrition.....1	Food supply.....8	Participation sales.....26
Civil rights.....4	Foreign aid.....19	Reclamation.....13
Clean air.....23	Grain.....12	Recreation.....9,16
Conservation.....20	Hides.....25	Research.....11,19
Credit.....2,10,26,34	Holiday.....31	School lunch.....8
Diet foods.....32	Housing.....15	School milk.....14
Electrification.....30	Inflation.....18	Soil surveys.....3
Exports.....25	Labeling.....21,32	Textiles.....24
Farm credit.....2,10,34	Lands.....11	Transportation.....15,29
Food prices.....5,14,33	Loan pools.....26	Water pollution.....23
Farm products.....29	Margarine.....8	Water resources.....27
Farm program.....22	Meat quotas.....28	
Farm research.....19	National park.....17	

HIGHLIGHTS: House committee reported child nutrition bill. Senate committee approved measure requesting USDA study of food price increases.

### HOUSE

1. CHILD NUTRITION. The Education and Labor Committee reported with amendments S. 3467, the child nutrition bill (H. Rept. 1802). p. 17370
2. FARM CREDIT. The Agriculture Committee reported H. J. Res. 1217, to delete the interest rate limitation on debentures issued by Federal intermediate credit banks (H. Rept. 1803). p. 17370

3. SOIL SURVEYS. The Agriculture Committee reported with amendment S. 902, to authorize this Department to provide soil information assistance to States and other public agencies to assist them in community planning and resource development, including planning for such facilities as highway construction, recreational facilities, and water and sewage facilities (H. Rept. 1804). p. 17370
  4. CIVIL RIGHTS. Continued debate on H. R. 14765, the civil rights bill. pp. 17308-42
  5. FOOD PRICES. Rep. Farbstein stated his intention to introduce a bill "to freeze food prices for 90 days, pending further recommendations from the Secretary of Agriculture or the President." p. 17307  
Rep. Abernethy called the "increased cost of bread and other foods...unjustified" and stated that these high costs "cannot be attributed" to the farmer. p. 17307
  6. ANIMAL DISEASE. Rep. Cunningham stated that he had asked this Department to intervene to save the lives of 54 wild animals destined for U. S. zoos. p. 17341  
Rep. Resnick stated that "rigid safeguards" are necessary to protect livestock and wildlife in this country against the introduction of devastating diseases. pp. 17345-6
  7. ORGANIZATION OF CONGRESS. Rep. Curtis inserted the supplemental views of Reps. Hall and Cleveland and himself to the final report of the Joint Committee on the Organization of the Congress. pp. 17346-49
  8. FOOD SUPPLY. Rep. Halpern commended the use of margarine for the school lunch program and the armed forces. p. 17357
  9. RECREATION. Rep. Farnsley expressed pleasure over the announcement of a "\$3.9 million grant...to develop a State park and recreational area at western Kentucky's new Barkley Lake." p. 17368  
Rep. O'Neill, Mass., spoke in favor of the bill to establish the Hudson Highlands National Scenic Riverway, N. Y., and inserted a supporting article. p. 17368
- SENATE
10. FARM CREDIT. The Agriculture and Forestry Committee reported without amendment S. J. Res. 178, to delete the interest rate limitation on debentures issued by Federal intermediate credit banks (S. Rept. 1427). p. 17204
  11. LANDS; RESEARCH. The Agriculture and Forestry Committee reported without amendment S. 3421, to authorize this Department to convey certain lands and improvements thereon to the University of Alaska (S. Rept. 1426). p. 17204  
The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 3178, to eliminate certain gaps in Interior's exchange authority under the Taylor Grazing Act. p. D710
  12. GRAIN. The Agriculture and Forestry Committee voted to report (but did not actually report) S. 3585, to amend the Grain Standards Act to permit the inspection of certain grain thereunder on the basis of submitted samples. p. D709



## AMENDING THE NATIONAL SCHOOL LUNCH ACT

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AUGUST 3, 1966.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. POWELL, from the Committee on Education and Labor, submitted the following

### REPORT

[To accompany S. 3467]

The Committee on Education and Labor, to whom was referred the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Beginning on page 1, strike out line 3 and all that follows through line 9 on page 2 and insert in lieu thereof the following:

That the National School Lunch Act is amended as follows:

(1) Section 3 of such Act (42 U.S.C. 1752) is amended by striking out "to carry out the provisions of this Act, other than section 11" and inserting in lieu thereof "to carry out the provisions of sections 2 through 10 of this Act".

(2) Section 6 of such Act (42 U.S.C. 1755) is amended by striking out "for carrying out the provisions of this Act" and inserting in lieu thereof "for carrying out the provisions of sections 2 through 10 of this Act".

(3) Subsections (b) and (c) of section 11 of such Act (42 U.S.C. 1759) are amended by striking out "and American Samoa" in each such subsection and inserting in lieu thereof "American Samoa, and the Trust Territory of the Pacific Islands".

(4) Section 12(d) of such Act (42 U.S.C. 1760(d)) is amended—

(A) by striking out "or American Samoa" in paragraph (1) and inserting in lieu thereof "American Samoa, or the Trust Territory of the Pacific Islands"; and

(B) by adding after paragraph (7) the following new paragraph:

“(8) ‘Nonprofit institution’ means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.”

(5) By adding at the end of the Act the following new sections:

Page 2, strike out line 10 and all that follows down through line 4 on page 3.

Page 3, line 7, strike out “14” and insert in lieu thereof “13”.

Page 3, line 13, insert “either” after “programs”.

Page 3, line 15, strike out “and” and insert in lieu thereof “or”.

Page 3, line 16, insert immediately before the period “daily, or both”.

Page 3, line 17, strike out “ ‘Apportionment to States’ ” and insert in lieu thereof “ ‘Apportionment to Guam, the Virgin Islands, Puerto Rico, American Samoa, and the Trust Territory of the Pacific Islands’ ”.

Page 3, line 21, strike out “and American Samoa.” and insert in lieu thereof “American Samoa, and the Trust Territory of the Pacific Islands.”.

Page 4, immediately before line 1, insert the following: “ ‘Apportionment to other States’ ”.

Page 4, line 4, strike out “and American Samoa” and insert in lieu thereof “American Samoa, and the Trust Territory of the Pacific Islands”.

Page 4, line 8, strike out “\$2,000” and insert in lieu thereof “the low-income factor (determined under title II of Public Law 874, Eighty-first Congress)”.

Page 4, line 10, strike out “\$2,000” and insert in lieu thereof “such low-income factor”.

Page 4, beginning in line 10, strike out “Department of Health, Education, and Welfare’s”.

Page 4, line 12, insert after “children” the following: “under a State plan approved under title IV of the Social Security Act”.

Page 4, line 19, strike out “needy”.

Page 5, line 3, strike out “and” and insert in lieu thereof “or”.

Page 5, immediately before the period at the end of line 5, insert “daily”.

Page 5, after line 5, insert “ ‘Special Financial Assistance in Cases of Severe Need’ ”.

Page 6, line 20, strike out “15” and insert in lieu thereof “14”.

Page 6, beginning in line 21, strike out “and for each fiscal year thereafter such sums as may be necessary” and insert in lieu thereof “not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize,”.

Page 7, beginning in line 1, strike out “facilities, other than land and buildings,” and insert in lieu thereof “equipment”.

Page 7, line 4, after the period insert the following:

Such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the event the equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

Page 7, in lines 14, 21, and 22, strike out "facilities" and insert in lieu thereof in such lines "equipment".

Page 8, line 2, strike out "and facilities".

Page 8, line 5, strike out "facilities" and insert in lieu thereof "equipment".

Page 9, line 2, strike out "16" and insert in lieu thereof "15".

Page 9, line 4, strike out "17" and insert in lieu thereof "16".

Page 9, line 9, strike out "17" and insert in lieu thereof "16".

Page 9, line 17, strike out "14" and "15" and insert in lieu thereof "13" and "14", respectively.

Page 9, line 21, strike out "18" and "14" and insert "17" and "13", respectively.

Page 10, line 10, strike out "19" and insert "18", and in line 14, strike out "20" and insert "19".

Page 10, line 19, strike out "5 through 17" and insert "five through seventeen".

Page 10, line 19, strike out "\$2,000" and insert "the low-income factor (established under title II of Public Law 874, Eighty-first Congress)".

Page 10, line 20, strike out "Department of Health, Education, and Welfare's".

Page 10, line 22, insert immediately after "children" the following: "under a State plan approved under title IV of the Social Security Act"; and strike out "that Department" and insert "the Department of Health, Education, and Welfare on the basis of the most recent satisfactory evidence available".

Page 10, line 24, strike out "21" and insert "20".

Page 11, line 2, strike out "22" and insert "21".

Page 11, line 3, strike out "through 15" and insert "and 14".

Page 11, line 16, strike out "23" and insert "22" and in line 20, strike out "24" and insert "23".

Page 12, line 3, after the period, insert:

No existing food service program shall be eliminated or curtailed, under this section, until the Department of Agriculture has instituted a comparable or improved program.

Page 12, line 5, strike out "25" and insert "24".

Page 12, beginning in line 5, strike out "sections 1 through 12" and insert "the first twelve sections".

Page 12, after line 8, insert the following new section:

SEC. 2. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of



high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

### I. PURPOSE

The purpose of S. 3467 is to broaden the National School Lunch Act so as to provide for a coordinated, comprehensive child food service in schools and to assure that this is done through existing Federal-State administrative channels.

There has been a proliferation of child feeding programs in recent years operated under various authorities and appropriations. The national school lunch program is and will remain our major national effort in the field of improved child nutrition. The additional authorities and programs provided under this bill will build on the experience of 20 years with the national school lunch program. The national school lunch program is a model of effective Federal-State-local cooperation and the committee feels strongly that child nutrition in schools can best be served by strengthening the existing administrative authority and channels.

### II. SUMMARY

A. The bill would amend the National School Lunch Act by adding provisions for—

(1) A pilot breakfast program for fiscal years 1967 and 1968 in schools drawing attendance from poor economic areas and in schools to which the children must travel long distances (new sec. 13);

(2) A permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist (new sec. 14); and

(3) General administration (secs. 15 through 24), including provision for—

(a) Appropriation of funds to assist State educational agencies, when necessary, in administering additional activities under section 11 and new sections 13 and 14 of the act;

(b) Authorizing the Secretary to extend school feeding programs under the act to include preschool programs operated as part of the school system; and

(c) Centralization in the Department of Agriculture of the administration of Federal programs to assist school feeding programs.

B. The bill would also extend the special milk program for fiscal years 1967, 1968, 1969, and 1970.

### III. COMMITTEE CONSIDERATION

On July 13, 1966, S. 3467, to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, was referred to the Committee on Education and Labor. Because this bill had already passed the other body without a negative vote it was referred to the Select Subcommittee on Education for expeditious consideration. On July 21, the subcommittee conducted a hearing on this proposal. Mr. Howard Davis, Deputy Administrator, Consumer Food Programs, Consumer and Marketing Service of the Department of Agriculture and Mrs. Mary Condon Gereau, legislative consultant to the National Education Association, appeared and supported the bill. The subcommittee met in executive session on July 26 and 27 and reported the bill to the full committee with amendments.

### IV. LEGISLATIVE HISTORY

#### A. THE NATIONAL SCHOOL LUNCH PROGRAM HISTORY

Although school lunch programs of various kinds have operated for many years in this country, Federal assistance on an organized basis actually began in the midthirties. In that period, foods acquired by the Department under surplus removal programs were donated to schools to help provide free lunches to needy children. This surplus purchase and donation operation was carried out under the authority of section 32 of the act of August 24, 1935 (Public Law 74-320).

The Department's surplus food donation authority was further expanded by section 416 of the Agricultural Act of 1949 (Public Law 81-439), authorizing donations of foods acquired by the Commodity Credit Corporation under the price-support program. A new authority was added in section 709 of the Food and Agriculture Act of 1965 (Public Law 89-321) which authorizes the use of CCC funds for the purchase of dairy products at market prices to meet the needs of domestic and foreign food assistance programs.

In the 1930's as at present, the volume and kinds of surplus foods available for donation to schools varied from year to year depending on market conditions. Despite these variations, the availability of these foods did stimulate the initiation of school feeding projects to the point where, by 1940, over 2 million children were participating in lunch programs that were receiving Federal surplus foods.

By 1943, the wartime demand for food had virtually eliminated the surplus problem in agriculture and in March of that year the Department announced that section 32 funds would be used to support the lunch program through a reimbursement system. Through this system, schools would receive cash payments to make local purchases of food for their lunch programs. Surplus food donations were continued during the war period but for the most part consisted of occasional supplies of seasonal surpluses of items such as potatoes and cabbage.

This cash assistance program in 1943 contained most of the major elements of the present school lunch program—nutritional standards, free lunches for children determined by local school authorities as unable to pay the full price of the lunch, and the requirement that schools operate their lunch programs on a nonprofit basis. The maximum Federal cash reimbursement per meal was 9 cents.

Through fiscal year 1946, the authority to operate a cash reimbursement program with section 32 funds was contained in the annual appropriation bill for the Department of Agriculture. This cash incentive brought more schools into the program so that, by fiscal year 1946, some 4 million children were participating. State departments of education were beginning to take an active interest in the program although actual administration, including the taking of agreements with individual schools in most cases, remained the responsibility of the Department of Agriculture.

Reliance on year-to-year authorizations in appropriation bills introduced an element of uncertainty as to continuing availability of Federal funds and tended to discourage the States from long-range planning for program expansion. In recognition of these facts, the Congress moved to provide basic permanent enabling legislation that became the National School Lunch Act. The act was approved by the President in June 1946 (Public Law 80-396).

#### B. MAJOR FEATURES OF THE NATIONAL SCHOOL LUNCH ACT

1. Responsibility for the program administration is placed in State educational agencies. They select schools for participation, take agreements with participating schools, pay reimbursement claims from funds advanced to the States by the Department, and generally supervise operations in the local schools within the policies and regulations established by the Department of Agriculture. The act also provides that the Department of Agriculture will continue to administer the program in private schools in those States where State law prohibits the State educational agency from disbursing funds to other than public schools. Within this overall administrative framework, the operation of the school lunch program has been and will remain a local community and school board responsibility.

2. An annual appropriation is authorized.

3. A specific formula is provided for the distribution of cash assistance funds among the States (including a special formula for distribution of cash assistance for particularly needy schools under sec. 11, which was added to the act in 1962).

4. The Secretary of Agriculture is authorized to establish nutritional standards based on tested nutritional research. These standards are incorporated in the widely known type A lunch that includes a half pint of milk, a protein rich food, fruits and vegetables, bread and butter or fortified margarine. This lunch is designed to meet one-third to one-half of a child's daily nutritional requirements.

5. Lunches are required to be served free or at reduced prices to children unable to pay. The act places specific responsibility on local school officials for the determination of those children unable to pay.

6. Participating schools are required to operate their lunch programs on a nonprofit basis.

7. Section 6 of the act authorizes the Secretary of Agriculture to use a portion of the appropriation for the direct purchase of foods for distribution to participating schools.

#### C. CURRENT STATUS OF THE NATIONAL SCHOOL LUNCH PROGRAM

At the present time, nearly three-fourths of the children enrolled in public and nonprofit private schools have access to a lunch program



at school under the National School Lunch Act. This year, 18 million of these children are participating in the program and over 3 billion lunches will be served. Almost 2 million of these children receive a lunch at reduced price or free of charge. The determination as to those children who cannot afford to pay the full price of the meal is made, as it has been made for 20 years, by local school officials. One of the requirements under the National School Lunch Act is that needy children are to receive a reduced price or free meal and that these children are not to be identified in any way as different from their classmates.

Federal contributions account for slightly more than 20 percent of the \$1.5 billion in school lunch business. By far the largest proportion of that sum is spent in the child's hometown with the local merchants who provide the food and services for the program. The program is administered by local school officials with a frequent assist from the PTA and other local citizens' groups.

Research has revealed that there are some 9 million children with no access to a food service at school. One million of these are children of low-income families who should have a reduced price or free meal if local resources were adequate to initiate a food service program. For the most part the schools these children attend are in low-income urban areas or in isolated rural areas.

S. 3467 is designed to help close these gaps.

The only major changes that have been made in the National School Lunch Act were made in 1962, when the formula for apportioning appropriated funds among the States was revised to provide a more equitable distribution and encourage program expansion. At the same time a new section was added, section 11, to provide special assistance to schools drawing attendance from areas of poor economic conditions.

#### D. SECTION 11 OF THE NATIONAL SCHOOL LUNCH ACT

The record of the national school lunch program has been one of rapid and sustained growth since enactment of the legislation in 1946. Last year, participation increased by nearly 1 million children.

Despite these gains, the program is not meeting its full potential in providing lunches for needy children. Estimates based on a national survey indicate that some 1.4 million children would qualify for but do not receive a reduced price or free lunch. Almost 1 million of these children are among the 9 million who have no access to lunch service at school. About half a million are children who attend schools that have a lunch program but where the combined Federal, State, and local resources are not adequate to finance the reduced price or free lunch they should receive.

Under the national school lunch program, the local community bears most of the burden of financing the lunch program from children's payments or other sources. In most communities where the percentage of needy children is relatively low, the cost of providing a lunch for these children is not an undue burden on the program's financial structure. However, where the proportion of needy children is high, the local financial structure is frequently inadequate to fund a program that will provide all the reduced price or free meals that should be made available.

In order to meet this situation, the Congress in 1962 amended the National School Lunch Act (Public Law 87-823) to provide, under section 11, for special assistance to schools drawing attendance from particularly needy areas. This section of the act was funded in the amount of \$2 million for the first time in fiscal year 1966 on a demonstration basis.

The legislation carries carefully prescribed criteria as to the eligibility of schools for special assistance. It also contains a mandatory special formula for the apportionment of funds among the States. The \$2 million for fiscal year 1966 was not actually available until November of 1965.

The States did a remarkable job in organizing their special assistance programs. Since the assistance payments from these Federal funds could be used only to help meet food costs, local resources and support were essential to finance the labor, equipment, and other costs of the program. Frequently, the local PTA or other civic organizations helped meet the other costs.

Most of the demonstration projects were not actually underway until February or March of 1966.

A total of 831 schools in all 50 States and the District of Columbia participated in the projects. The number of children enrolled in these schools totaled 325,000. Nearly 137,000 children, or more than 60 percent of the total enrollment, participated on a daily basis.

Eighty-two schools operated lunch programs for the first time. Some two-thirds of the children enrolled in these schools participated in the lunch program. Although complete data are not available for every project, preliminary indications are that over 50,000 needy children received lunches at school for the first time.

In North Carolina, six schools participated in the demonstration project. Prior to the new program, less than one-third of the total enrollment of 6,400 children were participating in the lunch program. As a result of the additional assistance provided the student participation increased from 2,060 to nearly 5,000.

In California, 20 schools were approved for special assistance with an average daily attendance of 13,840 children. Here, the increase in participation as a result of reducing the lunch price from 30 to 20 cents, was 65 percent. In addition, there was a decrease in the number of lunches previously served free because more children could afford to pay the lower price for the lunch.

In Pennsylvania, 25 urban and rural schools with an enrollment of 9,000 children were approved as demonstration projects. Lunch prices were reduced from an average of 31.7 cents to 15.7 cents in these schools. As a result, the level of program participation increased by one-third and the number of free lunches provided more than doubled.

In Georgia, 20 needy schools were approved as demonstration projects. Lunch prices were substantially lowered because of the additional funds provided and the level of participation increased from 63 percent of enrollment to 84 percent.

In Tennessee, it was possible to initiate a lunch program for the first time in 16 schools which had previously been unable to finance a lunch program. With the special assistance funds it was possible to establish lunch prices in these 16 programs at 10 to 16 cents with the result that nearly 90 percent of the 1,300 children in these schools were able to receive a lunch at school for the first time.



In order to assist the States to meet their added supervisory functions in administering section 11, the bill authorizes appropriations for advances to States where necessary for that purpose.

#### E. THE SPECIAL MILK PROGRAM

The Agricultural Act of 1954 (Public Law 84-690) provided that Commodity Credit Corporation funds could be used to increase the consumption of fluid milk by children in public and nonprofit private high schools and elementary schools.

In 1956, the program was extended for an additional 2 years and was expanded to include nonprofit nursery schools, child-care centers, settlement houses, and similar agencies for the care and training of underprivileged children.

By 1958, although the \$75 million in program funds were still charged to the Commodity Credit Corporation, it was explicitly stated that they "shall not be considered as amounts expended for the purpose of carrying out the price-support program."

The Agricultural Act of 1961 (Public Law 87-128) authorized appropriations to carry on the program for the 5 fiscal years ending on June 30, 1967.

During the fiscal year which ended June 30, 1966, some 3 billion half pints of milk were consumed under this program. This was over and above the 3 billion half pints of milk served as part of the type A lunch under the national school lunch program.

Consumption under the special milk program represents about 2½ percent of the national fluid milk consumption.

### V. PROGRAMS PROPOSED TO BE INCLUDED IN THE NATIONAL SCHOOL LUNCH ACT

#### A. BREAKFAST PROGRAM

Under section 13 of the bill the Secretary is authorized to initiate a 2-year pilot breakfast program in certain types of schools. Eligible schools would be those drawing attendance from areas in which poor economic conditions exist and also those schools where a substantial proportion of the children enrolled travel long distances.

There is no question but that thousands of children arrive at school hungry and this inevitably affects their span of attention and conduct. In rural areas, children frequently ride the bus for as much as an hour or more and then stand around and wait for school to start. These children leave home early and time often does not allow for adequate breakfast. They often must wait 6 to 8 hours for lunch. In urban areas, thousands of children are in families where the mother must leave for work long before the children leave for school. Breakfast tends to be a neglected meal.

In cases of very severe need in the school, the Secretary may authorize financial assistance up to 90 percent of the operating costs of the program. In most situations, however, Federal assistance will be limited to the food supplied needed for the program with local sources defraying labor and other costs.

Following the pattern and experience with the type A lunch under the national school lunch program, the Secretary is authorized to



prescribe nutritional standards that must be met. The basic strength of the lunch program has been that participating schools must agree to serve a combination of foods that improve a child's nutrition in order to receive Federal assistance. A great deal of research has gone into the question of what a child needs each day and from this came the type A meal pattern followed in the school lunch program. As part of its technical assistance efforts, the U.S. Department of Agriculture has developed menu planning and buying guides that are made available to the schools but local school lunch officials do all their own day-in, day-out menu planning. They may serve any food they want as long as the total meal meets established nutritional requirements. The same techniques and procedures will be followed under the pilot breakfast program.

The pilot breakfast program also carries the provision that—

Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### B. NONFOOD ASSISTANCE PROGRAM

Although the present National School Lunch Act carries authority for providing nonfood assistance, this section has not been funded for many years since the language is general in tone and does not lend itself to concentrating funds in those specific schools that most need help in initiating or expanding a food service. For this reason, section 14 of the proposed amendments is designed to spell out the intent of Congress in this respect.

There are 9 million children who, for one reason or another, have no access to a meal at school. Many rural schools and many urban schools, built years ago, have no food service facilities. In many of these schools most of the children enrolled are in families with very limited income. The local tax base is limited and the many needs of the community are such that funds are inadequate to meet these needs.

Section 14 provides that the State educational agency may provide assistance to schools in this situation. Applicant schools will be required to justify their need for assistance on a project basis and to submit a detailed description of the equipment to be acquired and their proposals for its use in meeting the nutritional needs of children. In addition, State or local sources must bear one-fourth of the cost of equipment or facilities financed under this authority.

Careful and prudent administration of this section will be required to assure its full effectiveness.

#### C. STATE ADMINISTRATIVE EXPENSES

The national school lunch program has operated for 20 years with all State administrative costs borne by the State governments. The program has now reached a stage, including the introduction of the new activities, where the States will have to increase their supervisory and technical assistance capabilities.

Section 11, the special assistance phase of the national school lunch program; the breakfast program and the nonfood assistance program will require a greatly expanded effort on the part of State school lunch personnel. More analysis will be required to determine the eligibility of schools for special assistance. These schools will need guidance in all phases of their lunch operations. A thorough analysis will also be needed on a project-by-project basis of applications for nonfood assistance. Schools will also need help to get off to a sound start on a breakfast program.

In view of this additional workload and the additional responsibilities the State educational agencies are being asked to undertake, the bill provides that some help may be provided these agencies where necessary to enable them to administer these additional activities effectively.

#### D. PRESCHOOL PROGRAMS

Section 22 clarifies the situation with respect to preschool programs. At the present time, the Secretary of Agriculture may not make school lunch programs available to children in schools below the kindergarten level even though they are attending an organized class. If such programs are operated as part of the school system, the children in attendance will now be made eligible for school food programs.

### VI. SECTION-BY-SECTION ANALYSIS

#### SECTION 1—AMENDMENTS TO THE NATIONAL SCHOOL LUNCH ACT

Paragraph (1) preserves the appropriation authorization for the national school lunch program, but keeps it separate from those for the new programs provided by the bill.

Paragraph (2) excludes funds appropriated for the new programs from section 6 of the National School Lunch Act, which provides that part of the funds may be used for Department administrative expenses and part may be used for direct food purchases.

Paragraphs (3) and (4) brings the Trust Territory of the Pacific Islands into these food programs and defines "nonprofit institution" as an institution, other than a school, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Paragraph (5) adds new sections 13 through 24 to the National School Lunch Act. The new sections are as follows:

Section 13—School breakfast.

Section 14—Nonfood assistance.

Sections 15 through 24—General provisions.

#### NEW SECTION 13—PILOT BREAKFAST PROGRAM

New section 13 provides for a pilot school breakfast program for fiscal years 1967 and 1968.

Subsection (a) authorizes appropriations for such program in schools serving children from low-income areas or in schools drawing attendance from children who have to travel long distances. The appropriation for fiscal 1967 could not exceed \$7.5 million. The appropriation for fiscal 1968 could not exceed \$10 million.



Subsections (b) and (c) provide for apportionment to States. Three percent would be apportioned to Guam, the Virgin Islands, Puerto Rico, American Samoa, and the Trust Territory of the Pacific Islands, on the basis of the number of children ages 5 through 17. From the balance the other States would each receive, first, a basic grant of about \$49,000 (a total of \$2,500,000 equally divided) and, second, additional funds on the basis of need as indicated by the number of children in the State, ages 5 through 17, in families with income of less than the low-income factor (determined under title II of Public Law 874, 81st Cong.) per annum plus the number of children ages 5 through 17 in families with incomes of more than such low-income factor per annum from payments under the program of aid to families with dependent children.

Subsection (d) requires States to disburse funds to schools found eligible by the State educational agency at rates per meal that will be established by the Secretary.

Subsection (e) provides that in instances of severe need, the Secretary may authorize assistance up to 90 percent of the operating cost of a breakfast program, including the cost of obtaining, preparing, and serving food. In these schools Federal funds could be disbursed in amounts in excess of the premeal rates described in subsection (d) and could be used to cover costs of preparation and serving in addition to the cost of the food itself. Assistance under subsection (e) would be given only if the applicant school showed the need for such assistance.

Subsection (f) requires meals served under this section to meet nutritional requirements prescribed by the Secretary on the basis of tested nutritional research and to be served free or at reduced cost only to those children found, by local school authorities, to be unable to pay the full cost. This is generally similar to the requirement contained in the existing National School Lunch Act.

Subsection (g) provides that the Department of Agriculture will administer the program and disburse funds to nonprofit private schools in those States whose educational agency is forbidden, by law, to disburse funds to other than public schools. This is similar to the method followed under the National School Lunch Act.

#### NEW SECTION 14—NONFOOD ASSISTANCE PROGRAM

New section 14 provides for a permanent nonfood assistance program in schools drawing attendance from poor economic areas.

Subsection (a) authorizes appropriations for fiscal year 1967, not to exceed \$12 million for fiscal year 1968, not to exceed \$15 million for fiscal year 1969, and fiscal year 1970 not to exceed \$18 million, and for each fiscal year thereafter such sums as the Congress may authorize, to assist States in helping such schools acquire equipment, other than land and buildings, for the storage, preparation, transportation, and serving of food.

Subsection (b) provides that funds shall be apportioned among the States on the same basis as school lunch funds under section 4. Payments to States are made on condition that one-fourth of the cost of any equipment financed shall be borne by State or local funds.

Subsection (c) permits the State educational agency to disburse funds to eligible schools by advance or by reimbursement only on request from the school, accompanied by a detailed description of the



equipment to be acquired and plans for their use to improve the nutritional needs of the children in the school. Applicant schools would have to show the need for such assistance and the inability of local tax sources to finance the equipment.

Subsection (d) requires the Department of Agriculture to administer the program in nonprofit private schools in those States where the State educational agency is not permitted, by law, to disburse funds to other than public schools.

#### NEW SECTION 15—PAYMENTS TO STATES

New section 15 provides that the Secretary shall certify to the Secretary of Treasury payments to be made to any State under the new provisions and the Secretary of Treasury shall make the payment. This is the same procedure currently used under the national school lunch program.

#### NEW SECTION 16—STATE ADMINISTRATIVE EXPENSES

New section 16 authorizes the appropriation of funds needed to assist State educational agencies in the administration of additional activities undertaken under sections 11, 13, and 14 (the existing provision for special school lunch assistance in low-income areas, and the new provisions for school breakfasts and nonfood assistance).

#### NEW SECTION 17—UTILIZATION OF FOODS

New section 17 requires schools participating in the breakfast program to use, to the extent practicable, foods designated by the Secretary as being in abundance, and to receive foods donated by the Department of Agriculture.

#### NEW SECTION 18—NONPROFIT PROGRAMS

New section 18 requires all food and milk service programs receiving assistance under the act to be operated on a nonprofit basis. This is similar to the requirement under the National School Lunch Act.

#### NEW SECTION 19—STATISTICAL DATA

New section 19 provides that information on numbers of children, ages 5 through 17, and on per capita income shall be made available by the Secretary of Commerce and, unless otherwise specified, shall be the latest available. Data on the numbers of children, ages 5 through 17, in families with incomes of more than the low-income factor (determined under title II of Public Law 874, 81st Cong.) per annum from payments under the program of aid to families with dependent children shall be provided by that Department from the most recent satisfactory data available.

#### NEW SECTION 20—REGULATIONS

New section 20 authorizes regulations.

## NEW SECTION 21—PROHIBITIONS

New section 21 prohibits—

(a) The Secretary and the States from imposing any requirements with respect to teaching personnel, curriculum, or materials of instruction in carrying out the special milk or other programs added to the National School Lunch Act. A similar provision now applies to the national school lunch program.

(b) The value of assistance to children under the National School Lunch Act from being considered as income or resources for purposes of other programs.

(c) State and local expenditures for food programs for children from being reduced as a result of funds received under the National School Lunch Act.

## NEW SECTION 22—PRESCHOOL PROGRAMS

New section 22 authorizes the Secretary to extend the benefits of school feeding programs under the act to preschool programs operated as part of the school system.

## NEW SECTION 23—CENTRALIZATION OF ADMINISTRATION

New section 23 would centralize in the Department of Agriculture the administration of all Federal programs to provide assistance to school food service programs. To the extent practicable other Federal agencies would be required to transfer to the Department of Agriculture any funds to be used for such assistance, but no existing program can be curtailed or eliminated without the institution of a comparable or improved program in its place.

## NEW SECTION 24—NO CHANGE IN SCHOOL LUNCH PROGRAM

New section 24 requires the school lunch program to be administered in the same manner as in the past. To assure that no change can occur and to express full confidence in the existing administration and operation of the program, section 24 provides that—

The Secretary shall administer sections 1 through 12 of this act to the maximum extent practicable in the same manner as he administered those sections during the fiscal year ended June 30, 1966.

This language is not intended to inhibit program administration. It is intended to indicate the committee's endorsement and approval of the approach now being followed in program administration.

## SECTION 2—SPECIAL MILK PROGRAM

Section 2, provides for the special milk program identical to section 2 of the act of July 1, 1958, the current authority for the special milk program, except (1) the current authority runs only through June 30, 1967, while the new authority runs through fiscal 1970; (2) appropriations would be limited to not more than \$110 million for the fiscal year ending June 30, 1967; not more than \$115 million for the fiscal year ending June 30, 1968; and not more than \$120 million for each of the 2 succeeding fiscal years; and (3) section 2 requires the Secretary

to administer the program in the same manner as in the past. This last change was considered necessary to make clear the intention of Congress that the course of the program is not to be changed. The language of the existing law provides the Secretary with very broad authority as to the manner in which the program is to be conducted. Since the new authority would be part of the National School Lunch Act, the general provisions of that act would be applicable.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

#### NATIONAL SCHOOL LUNCH ACT

(42 U.S.C. 1751-1760)

AN ACT To provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "National School Lunch Act".

\* \* \* \* \*

#### APPROPRIATIONS AUTHORIZED

SEC. 3. For each fiscal year there is hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as "the Secretary") to carry out the provisions of [this Act, other than section 11] *sections 2 through 10 of this Act.*

\* \* \* \* \*

#### DIRECT FEDERAL EXPENDITURES

SEC. 6. The funds appropriated for any fiscal year for carrying out the provisions of [this Act] *sections 2 through 10 of this Act*, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses, less the amount apportioned by him pursuant to sections 4, 5, and 10, and less the amount appropriated pursuant to section 11, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and schools participating in the school-lunch program under this Act in accordance with the needs as determined by the local school authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act.

\* \* \* \* \*



## SPECIAL ASSISTANCE

SEC. 11. (a) There is hereby authorized to be appropriated \$10,000,000 for the fiscal year ending June 30, 1963, and such sums as may be necessary for each succeeding fiscal year to provide special assistance to schools drawing attendance from areas in which poor economic conditions exist, for the purpose of helping such schools to meet the requirement of section 9 of this Act concerning the service of lunches to children unable to pay the full cost of such lunches.

(b) Of the sums appropriated pursuant to this section for any fiscal year, 3 per centum shall be available for apportionment to Puerto Rico, the Virgin Islands, Guam [and American Samoa] *American Samoa, and the Trust Territory of the Pacific Islands*. From the funds so available the Secretary shall apportion to each such State an amount which bears the same ratio to the total of such funds as the number of free or reduced-price lunches served in accordance with section 9 of this Act in such State in the preceding fiscal year bears to the total number of such free or reduced-price lunches served in all such States in the preceding fiscal year: *Provided*, That for the fiscal year ending June 30, 1963, \$5,000 shall be apportioned to American Samoa, which amount shall be first deducted from the total amount available for apportionment under this subsection. If any such State cannot utilize for the purposes of this section all of the funds apportioned to it the Secretary shall make further apportionment on the same basis as the initial apportionment to any such States which justify the need for additional funds for such purposes.

(c) Of the remaining sums appropriated pursuant to this section for any fiscal year, not less than 50 per centum shall be apportioned among States, other than Puerto Rico, the Virgin Islands, Guam, [and American Samoa] *American Samoa, and the Trust Territory of the Pacific Islands*, on the basis of the following factors for each State: (1) the number of free or reduced-price lunches served in accordance with section 9 of this Act in the preceding fiscal year, and (2) the assistance need rate. These factors shall be applied in the following manner: First, determine an index for each State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all such States; and, third, apply the figure thus obtained to the total funds to be apportioned. Any funds so initially apportioned which cannot be used for the purpose of this section by the State to which apportioned, together with the remainder of the funds available under this subsection, shall be further apportioned by the Secretary on the same basis as the initial apportionment to such States which justify on the basis of operating experience the need for additional funds to meet the need of students in such States for free or reduced-price lunches in schools deemed eligible by their State educational agencies for special assistance in accordance with the factors set forth in subsection (e) of this section.

(d) Payment of the funds apportioned to any State under this section shall be made as provided in the last sentence of section 7 of the Act.

(e) Funds paid to any State during any fiscal year pursuant to this section shall be disbursed to selected schools in such State to assist such schools in the purchase of agricultural commodities and other foods. The selection of schools and the amounts of funds that each shall from time to time receive (within a maximum per lunch

amount established by the Secretary for all the States) shall be determined by the State educational agency on the basis of the following factors: (1) The economic condition of the area from which such schools draw attendance; (2) the needs of pupils in such schools for free or reduced-price lunches; (3) the percentages of free and reduced-price lunches being served in such schools to their pupils; (4) the prevailing price of lunches in such schools as compared with the average prevailing price of lunches served in the State under this Act; and (5) the need of such schools for additional assistance as reflected by the financial position of the school lunch programs in such schools.

(f) If in any State the State educational agency is not permitted by law to disburse funds paid to it under this Act to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsections (b) or (c) of this section an amount which bears the same ratio to such funds as the number of free and reduced-price lunches served in accordance with section 9 of this Act in the preceding fiscal year by all nonprofit private schools participating in the program under this Act in such State bears to the number of such free and reduced-price lunches served during such year by all schools participating in the program under this Act in such State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are applicable to a State educational agency disbursing funds under this section.

(g) In carrying out this section, the terms and conditions governing the operation of the school lunch program set forth in other sections of this Act, including those applicable to funds apportioned or paid pursuant to sections 4 or 5 but excluding the provision of section 7 relating to matching, shall be applicable to the extent they are not inconsistent with the express requirements of this section.

#### MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 12. (a) States, State educational agencies, and schools participating in the school-lunch program under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary.

(b) The Secretary shall incorporate, in his agreements with the State educational agencies, the express requirements under this Act with respect to the operation of the school-lunch program under this Act insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

(c) In carrying out the provisions of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any school.

(d) For the purposes of this Act—

(1) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands,



Guam, [or American Samoa] *American Samoa, or the Trust Territory of the Pacific Islands.*

(2) "State educational agency" means, as the State legislature may determine, (A) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (B) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education.

(3) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

(4) "Nonfood assistance" means equipment used by schools in storing, preparing, or serving food for schoolchildren.

(5) "Participation rate" for a State means a number equal to the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary pursuant to section 9, served in the preceding fiscal year by schools participating in the program under this act in the State, as determined by the Secretary.

(6) "Assistance need rate" (A) in the case of any State having an average annual per capita income equal to or greater than the average annual per capita income for all the States, shall be five, and (B) in the case of any State having an average annual per capita income less than the average annual per capita income for all the States, shall be the product of five and the quotient obtained by dividing the average annual per capita income for all the States by the average annual per capita income for such State, except that such product may not exceed nine for any such State. For the purposes of this paragraph (i) the average annual per capita income for any State and for all the States shall be determined by the Secretary on the basis of the average annual per capita income for each State and for all the States for the three most recent years for which such data are available and certified to the Secretary by the Department of Commerce; and (ii) the average annual per capita income for American Samoa shall be disregarded in determining the average annual per capita income for all the States for periods ending before July 1, 1967.

(7) "School" means any public or nonprofit private school of high school grade or under and, with respect to Puerto Rico, shall also include nonprofit childcare centers certified as such by the Governor of Puerto Rico.

(8) "Nonprofit institution" means any public or private institution, except a school or other educational institution of higher learning, which provides for the care and training of children and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

#### SCHOOL BREAKFAST PROGRAM

#### AUTHORIZATION

SEC. 13. (a) *There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out a pilot program to assist States*



*through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs either in schools drawing attendance from areas in which poor economic conditions exist or in schools to which a substantial proportion of the children enrolled must travel long distances daily, or both.*

APPORTIONMENT TO GUAM, THE VIRGIN ISLANDS, PUERTO RICO,  
AMERICAN SAMOA, AND THE TRUST TERRITORY OF THE PACIFIC  
ISLANDS

*(b) Of the funds appropriated for the purposes of this section for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, the Virgin Islands, Puerto Rico, American Samoa, and the Trust Territory of the Pacific Islands. Such funds shall be apportioned among such States on the basis of the ratio of the number of children of ages five through seventeen in each such State to the number of all children of ages five through seventeen in all such States.*

APPORTIONMENT TO OTHER STATES

*(c) Of the remainder of the funds appropriated, the Secretary shall for each fiscal year, (1) apportion the first \$2,500,000 equally among the States, other than Guam, the Virgin Islands, Puerto Rico, American Samoa, and the Trust Territory of the Pacific Islands, and (2) apportion the remainder among such States on the basis of the ratio of the number of children in each State of ages five through seventeen in families with incomes of less than the low-income factor (determined under title II of Public Law 874, Eighty-first Congress) per annum plus the number of children of ages five through seventeen in families with incomes of more than such low-income factor per annum from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act to the total number of such children in the fifty States and the District of Columbia.*

STATE DISBURSEMENT TO SCHOOLS

*(d) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by children in a breakfast program and for the purpose of subsection (e). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist or to those schools to which a substantial proportion of the children enrolled must travel long distances daily.*

SPECIAL FINANCIAL ASSISTANCE IN CASE OF SEVERE NEED

*(e) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial*

assistance up to 90 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

#### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(f) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### NONPROFIT PRIVATE SCHOOLS

(g) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools, the Secretary shall withhold from the funds apportioned to any such State under subsections (b) and (c) of this section an amount based on the ratio of the number of children enrolled in nonprofit private schools within the State to the total number of children enrolled in all schools within the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### NONFOOD ASSISTANCE PROGRAM

##### AUTHORIZATION

SEC. 14. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. Such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the event the equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

##### APPORTIONMENTS TO STATES

(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the



same basis as apportionments are made under section 4 of this Act for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that one-fourth of the cost of any equipment financed under this subsection shall be borne by State or local funds.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, equipment, to conduct a school food service program, and to acquire such equipment. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of local tax sources to finance the food service equipment needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the equipment to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### NONPROFIT PRIVATE SCHOOLS

(d) If in any State the State educational agency is not permitted by law to disburse the funds paid to it under this section to nonprofit private schools in the State, the Secretary shall withhold from the funds apportioned to such State under subsection (b) an amount which bears the same ratio to such funds as the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary under section 9 of this Act served in the preceding fiscal year by all nonprofit private schools participating in the program under section 2 within the State, as determined by the Secretary, bears to the participation rate for the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private schools within such State for the same purposes and subject to the same conditions as are required of a State educational agency disbursing funds made available under this section.

#### PAYMENTS TO STATES

SEC. 15. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 13 through 16 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### STATE ADMINISTRATIVE EXPENSES

SEC. 16. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent deter-



mined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under sections 11, 13, and 14 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

#### UTILIZATION OF FOODS

SEC. 17. Each school participating under section 13 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

#### NONPROFIT PROGRAMS

SEC. 18. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

#### STATISTICAL DATA

SEC. 19. Data on numbers of children of ages five through seventeen and on per capita income shall be made available by the Secretary of Commerce to the Secretary and, except where otherwise expressly stated in this Act, shall be the latest available. Data on the numbers of children, ages five through seventeen, in families with incomes of more than the low-income factor (established under title II of Public Law 874, Eighty-first Congress) per annum from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act shall be provided by the Department of Health, Education, and Welfare on the basis of the most recent satisfactory evidence available.

#### REGULATIONS

SEC. 20. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

#### PROHIBITIONS

SEC. 21. (a) In carrying out the provisions of sections 13 and 14 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction in any nonprofit institution.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

## PRESCHOOL PROGRAMS

*SEC. 22. The Secretary may extend the benefits of school feeding programs under this Act to include preschool programs operated as part of the school system.*

## CENTRALIZATION OF ADMINISTRATION

*SEC. 23. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act. No existing food service program shall be eliminated or curtailed, under this section, until the Department of Agriculture has instituted a comparable or improved program.*

## NO CHANGE IN SCHOOL LUNCH PROGRAM

*SEC. 24. The Secretary shall administer the first twelve sections of this Act to the maximum extent practicable in the same manner as he administered those sections during the fiscal year ended June 30, 1966.*







# Union Calendar No. 824

89TH CONGRESS  
2D SESSION

## S. 3467

[Report No. 1802]

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### IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1966

Referred to the Committee on Education and Labor

AUGUST 3, 1966

Reported with amendments, committed to the Committee of the Whole House  
on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

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## AN ACT

To amend the National School Lunch Act, as amended, to  
strengthen and expand food service programs for  
children.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the National School Lunch Act, as amended, is  
4       amended—

5               ~~(A)~~ By inserting in section 3 before the period at  
6       the end thereof the following phrase: “and other than  
7       sections 13 through 15 and section 17”.

8               ~~(B)~~ By inserting in section 6 after the word “Act”

1       where it first occurs the following: “(other than sections  
2       13 through 15 and section 17)”.  
3

4       (C) By adding at the end of subsection (d) of  
5       section 12, the following new paragraph:

6       “(8) ‘Nonprofit institution’ means any public or private  
7       institution, except a school or other educational institution  
8       of higher learning, which provides for the care and train-  
9       ing of children and no part of the net earnings of which in-  
10       ures to the benefits of any private shareholder or individual.”

11       (D) By adding at the end of the Act the follow-  
12       ing new sections:

13       *That the National School Lunch Act is amended as follows:*

14       (1) *Section 3 of such Act (42 U.S.C. 1752) is*  
15       *amended by striking out “to carry out the provisions of this*  
16       *Act, other than section 11” and inserting in lieu thereof*  
17       *“to carry out the provisions of sections 2 through 10 of this*  
18       *Act”.*

19       (2) *Section 6 of such Act (42 U.S.C. 1755) is amended*  
20       *by striking out “for carrying out the provisions of this Act”*  
21       *and inserting in lieu thereof “for carrying out the provisions*  
22       *of sections 2 through 10 of this Act”.*

23       (3) *Subsections (b) and (c) of section 11 of such Act*  
24       *(42 U.S.C. 1759) are amended by striking out “and Ameri-*  
      *can Samoa” in each such subsection and inserting in lieu*

1 thereof “American Samoa, and the Trust Territory of the  
2 Pacific Islands”.

3 (4) Section 12(d) of such Act (42 U.S.C. 1760(d))  
4 is amended—

5 (A) by striking out “or American Samoa” in para-  
6 graph (1) and inserting in lieu thereof “American  
7 Samoa, or the Trust Territory of the Pacific Islands”;  
8 and

9 (B) by adding after paragraph (7) the following  
10 new paragraph:

11 “(8) ‘Nonprofit institution’ means any public or  
12 private institution, except a school or other educational  
13 institution of higher learning, which provides for the  
14 care and training of children and no part of the net  
15 earnings of which inures to the benefit of any private  
16 shareholder or individual.”

17 (5) By adding at the end of the Act the following new  
18 sections:

19 ~~“SPECIAL MILK PROGRAM~~

20 ~~“AUTHORIZATION~~

21 ~~“SEC. 13.~~ There is hereby authorized to be appropriated  
22 for the fiscal year ending June 30, 1967, not to exceed  
23 \$110,000,000; for the fiscal year ending June 30, 1968, not  
24 to exceed \$115,000,000; and for each of the two succeeding



1 fiscal years not to exceed \$120,000,000, to enable the Secre-  
 2 tary of Agriculture, under such rules and regulations as he  
 3 may deem in the public interest, to encourage consumption of  
 4 fluid milk by children in the United States in ~~(1)~~ nonprofit  
 5 schools of high school grade and under, and ~~(2)~~ nonprofit  
 6 nursery schools, child-care centers, settlement houses, sum-  
 7 mer camps, and similar nonprofit institutions devoted to the  
 8 care and training of children. For the purposes of this sec-  
 9 tion 'United States' means the fifty States and the District  
 10 of Columbia. The Secretary shall administer the special  
 11 milk program provided for by this section to the maximum  
 12 extent practicable in the same manner as he administered  
 13 the special milk program provided for by Public Law 85-  
 14 478 as amended, during the fiscal year ended June 30, 1966.

15 "SCHOOL BREAKFAST PROGRAM

16 "AUTHORIZATION

17 "SEC. 14 13. (a) There is hereby authorized to be ap-  
 18 propriated for the fiscal year ending June 30, 1967, not  
 19 to exceed \$7,500,000; and for the fiscal year ending June  
 20 30, 1968, not to exceed \$10,000,000, to enable the Secre-  
 21 tary to formulate and carry out a pilot program to assist  
 22 States through grants-in-aid and other means, to initiate,  
 23 maintain, or expand nonprofit breakfast programs *either* in  
 24 schools drawing attendance from areas in which poor eco-  
 25 nomic conditions exist ~~and~~ *or* in schools to which a sub-

1   stantial proportion of the children enrolled must travel  
2   long distances *daily, or both.*

3                   “~~APPORTIONMENT TO STATES~~

4   “*Apportionment to Guam, the Virgin Islands, Puerto Rico,*  
5   *American Samoa, and the Trust Territory of the Pacific*  
6   *Islands*

7   “(b) Of the funds appropriated for the purposes of  
8   this section for any fiscal year, the Secretary shall reserve  
9   3 per centum for apportionment to Guam, the Virgin Islands,  
10  Puerto Rico, ~~and American Samoa.~~ *American Samoa, and*  
11  *the Trust Territory of the Pacific Islands.* Such funds shall  
12  be apportioned among such States on the basis of the ratio  
13  of the number of children of ages five through seventeen in  
14  each such State to the number of all children of ages five  
15  through seventeen in all such States.

16                   “*Apportionment to Other States*

17   “(c) Of the remainder of the funds appropriated, the  
18  Secretary shall for each fiscal year, (1) apportion the first  
19  \$2,500,000 equally among the States, other than Guam,  
20  the Virgin Islands, Puerto Rico, ~~and American Samoa~~  
21  *American Samoa, and the Trust Territory of the Pacific*  
22  *Islands,* and (2) apportion the remainder among such States  
23  on the basis of the ratio of the number of children in each  
24  State of ages five through seventeen in families with incomes

1 of less than ~~\$2,000~~ *the low-income factor (determined under*  
 2 *title II of Public Law 874, Eighty-first Congress)* per annum  
 3 plus the number of children of ages five through seventeen  
 4 in families with incomes of more than ~~\$2,000~~ *such low-*  
 5 *income factor* per annum from payments under the ~~Depart-~~  
 6 ~~ment of Health, Education, and Welfare's~~ program of aid to  
 7 families with dependent children *under a State plan approved*  
 8 *under title IV of the Social Security Act* to the total number  
 9 of such children in the fifty States and the District of  
 10 Columbia.

11 "STATE DISBURSEMENT TO SCHOOLS

12 "(d) Funds apportioned and paid to any State for the  
 13 purpose of this section shall be disbursed by the State educa-  
 14 tional agency to schools selected by the State educational  
 15 agency, to reimburse such schools for the cost of obtaining  
 16 agricultural and other foods for consumption by needy  
 17 children in a breakfast program and for the purpose of sub-  
 18 section (e). Such food costs may include, in addition to  
 19 the purchase price, the cost of processing, distributing, trans-  
 20 porting, storing, and handling. Disbursement to schools  
 21 shall be made at such rates per meal or on such other basis  
 22 as the Secretary shall prescribe. In selecting schools, the  
 23 State educational agency shall, to the extent practicable, give  
 24 first consideration to those schools drawing attendance from  
 25 areas in which poor economic conditions exist ~~and~~ or to



1 those schools to which a substantial proportion of the chil-  
2 dren enrolled must travel long distances *daily*.

3 “SPECIAL FINANCIAL ASSISTANCE IN CASES OF  
4 SEVERE NEED

5 “(c) In circumstances of severe need where the rate  
6 per meal established by the Secretary is deemed by him in-  
7 sufficient to carry on an effective breakfast program in a  
8 school, the Secretary may authorize financial assistance up  
9 to 90 per centum of the operating costs of such a program,  
10 including cost of obtaining, preparing, and serving food. In  
11 the selection of schools to receive assistance under this sec-  
12 tion, the State educational agency shall require applicant  
13 schools to provide justification of the need for such assistance.

14 “NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

15 “(f) Breakfasts served by schools participating in the  
16 school breakfast program under this section shall consist of a  
17 combination of foods and shall meet minimum nutritional  
18 requirements prescribed by the Secretary on the basis of  
19 tested nutritional research. Such breakfasts shall be served  
20 without cost or at a reduced cost only to children who are  
21 determined by local school authorities to be unable to pay the  
22 full cost of the breakfast. In making such determinations,  
23 such local authorities should, to the extent practicable, con-  
24 sult with public welfare and health agencies. No physical

1 segregation of or other discrimination against any child shall  
2 be made by the school because of his inability to pay.

3 "NONPROFIT PRIVATE SCHOOLS

4 "(g) If in any State the State educational agency is not  
5 permitted by law to disburse the funds paid to it under this  
6 section to nonprofit private schools, the Secretary shall with-  
7 hold from the funds apportioned to any such State under  
8 subsections (b) and (c) of this section an amount based on  
9 the ratio of the number of children enrolled in nonprofit  
10 private schools within the State to the total number of chil-  
11 dren enrolled in all schools within the State. The Secretary  
12 shall disburse the funds so withheld directly to the nonprofit  
13 private schools within such State for the same purposes and  
14 subject to the same conditions as are required of a State  
15 educational agency disbursing funds made available under  
16 this section.

17 "NONFOOD ASSISTANCE PROGRAM

18 "AUTHORIZATION

19 "SEC. 45 14. (a) There is hereby authorized to be  
20 appropriated for the fiscal year ending June 30, 1967, and  
21 for each fiscal year thereafter such sums as may be necessary  
22 not to exceed \$12,000,000, for the fiscal year ending June  
23 30, 1968, not to exceed \$15,000,000, for each of the two  
24 fiscal years ending June 30, 1969, and June 30, 1970, not  
25 to exceed \$18,000,000, and for each fiscal year thereafter

1 *such sums as the Congress may hereafter authorize, to enable*  
 2 *the Secretary to formulate and carry out a program to assist*  
 3 *the States through grants-in-aid and other means to supply*  
 4 *schools drawing attendance from areas in which poor eco-*  
 5 *nomie conditions exist with facilities, other than land and*  
 6 *buildings, equipment for the storage, preparation, transpor-*  
 7 *tation, and serving of food to enable such schools to establish,*  
 8 *maintain, and expand school food service programs. Such*  
 9 *equipment shall be for use of such schools principally in con-*  
 10 *nection with child feeding programs authorized in this Act*  
 11 *and in the event the equipment is no longer so used, that part*  
 12 *of such equipment financed with Federal funds, or the*  
 13 *residual value thereof, shall revert to the United States.*

14 "APPORTIONMENTS TO STATES

15 " (b) The Secretary shall apportion the funds appro-  
 16 priated for the purposes of this section among the States  
 17 during each fiscal year on the same basis as apportionments  
 18 are made under section 4 of this Act for supplying agricul-  
 19 tural and other foods, except that apportionment to American  
 20 Samoa for any fiscal year shall be on the same basis as the  
 21 apportionment to the other States. Payments to any State  
 22 of funds apportioned for any fiscal year shall be made upon  
 23 condition that one-fourth of the cost of any facilities equip-  
 24 ment financed under this subsection shall be borne by State  
 25 or local funds.



## 1                   “STATE DISBURSEMENT TO SCHOOLS

2           “(c) Funds apportioned and paid to any State for the  
3 purpose of this section shall be disbursed by the State edu-  
4 cational agency to assist schools, which draw attendance  
5 from areas in which poor economic conditions exist and  
6 which have no, or grossly inadequate, ~~facilities~~ *equipment*,  
7 to conduct a school food service program, and to acquire  
8 such ~~facilities~~ *equipment*. In the selection of schools to re-  
9 ceive assistance under this section, the State educational  
10 agency shall require applicant schools to provide justification  
11 of the need for such assistance and the inability of local tax  
12 sources to finance the food service equipment ~~and facilities~~  
13 needed. Disbursements to any school may be made, by  
14 advances or reimbursements, only after approval by the  
15 State educational agency of a request by the school for  
16 funds, accompanied by a detailed description of the ~~facilities~~  
17 *equipment* to be acquired and the plans for the use thereof  
18 in effectively meeting the nutritional needs of children in  
19 the school.

## 20                   “NONPROFIT PRIVATE SCHOOLS

21           “(d) If in any State the State educational agency is not  
22 permitted by law to disburse the funds paid to it under this  
23 section to nonprofit private schools in the State, the Secre-  
24 tary shall withhold from the funds apportioned to such State  
25 under subsection (b) an amount which bears the same ratio

1 to such funds as the number of lunches, consisting of a  
2 combination of foods and meeting the minimum requirements  
3 prescribed by the Secretary under section 9 of this Act  
4 served in the preceding fiscal year by all nonprofit private  
5 schools participating in the program under section 2 within  
6 the State, as determined by the Secretary, bears to the par-  
7 ticipation rate for the State. The Secretary shall disburse  
8 the funds so withheld directly to the nonprofit private schools  
9 within such State for the same purposes and subject to the  
10 same conditions as are required of a State educational agency  
11 disbursing funds made available under this section.

12 "PAYMENTS TO STATES

13 "SEC. ~~16~~ 15. The Secretary shall certify to the Secre-  
14 tary of the Treasury from time to time the amounts to be  
15 paid to any State under sections 13 through ~~17~~ 16 of this  
16 Act and the time or times such amounts are to be paid; and  
17 the Secretary of the Treasury shall pay to the State at the  
18 time or times fixed by the Secretary the amounts so certified.

19 "STATE ADMINISTRATIVE EXPENSES

20 "SEC. ~~17~~ 16. The Secretary may utilize funds appro-  
21 priated under this section for advances to each State educa-  
22 tional agency for use for its administrative expenses in  
23 supervising and giving technical assistance to the local school  
24 districts in their conducting of programs under this Act.

1 Such funds shall be advanced only in amounts and to the  
2 extent determined necessary by the Secretary to assist such  
3 State agencies in the administration of additional activities  
4 undertaken by them under sections 11, ~~14~~ 13, and ~~15~~ 14 of  
5 this Act. There are hereby authorized to be appropriated  
6 such sums as may be necessary for the purposes of this  
7 section.

8 "UTILIZATION OF FOODS

9 "SEC. ~~48~~ 17. Each school participating under section  
10 ~~44~~ 13 of this Act shall, insofar as practicable, utilize in its  
11 program foods designated from time to time by the Secre-  
12 tary as being in abundance, either nationally or in the school  
13 area, or foods donated by the Secretary. Foods available  
14 under section 416 of the Agricultural Act of 1949 (63 Stat.  
15 1058), as amended, or purchased under section 32 of the  
16 Act of August 24, 1935 (49 Stat. 774), as amended, or  
17 section 709 of the Food and Agriculture Act of 1965 (79  
18 Stat. 1212), may be donated by the Secretary to schools, in  
19 accordance with the needs as determined by local school  
20 authorities, for utilization in their feeding programs under  
21 this Act.

22 "NONPROFIT PROGRAMS

23 "SEC. ~~49~~ 18. The food and milk service programs in  
24 schools and nonprofit institutions receiving assistance under  
25 this Act shall be conducted on a nonprofit basis.



1                                   “STATISTICAL DATA

2           “SEC. ~~20~~ 19. Data on numbers of children of ages five  
3 through seventeen and on per capita income shall be made  
4 available by the Secretary of Commerce to the Secretary and,  
5 except where otherwise expressly stated in this Act, shall be  
6 the latest available. Data on the numbers of children, ages  
7 ~~5 through 17~~ *five through seventeen*, in families with incomes  
8 of more than ~~\$2,000~~ *the low-income factor (established under*  
9 *title II of Public Law 874, Eighty-first Congress)* per  
10 annum from payments under the ~~Department of Health,~~  
11 ~~Education, and Welfare's~~ program of aid to families with  
12 dependent children *under a State plan approved under title*  
13 *IV of the Social Security Act* shall be provided by ~~that~~  
14 ~~Department~~ *the Department of Health, Education, and*  
15 *Welfare on the basis of the most recent satisfactory evidence*  
16 *available.*

17                                   “REGULATIONS

18           “SEC. ~~24~~ 20. The Secretary shall prescribe such regula-  
19 tions as he may deem necessary to carry out this Act.

20                                   “PROHIBITIONS

21           “SEC. ~~22~~ 21. (a) In carrying out the provisions of sec-  
22 tions ~~13 through 15~~ *and 14* of this Act, neither the Secretary  
23 nor the State shall impose any requirements with respect to  
24 teaching personnel, curriculum, instruction, methods of

1 instruction, and materials of instruction in any nonprofit  
2 institution.

3 “(b) The value of assistance to children under this Act  
4 shall not be considered to be income or resources for any  
5 purpose under any Federal or State laws including, but not  
6 limited to, laws relating to taxation, welfare, and public  
7 assistance programs. Expenditures of funds from State and  
8 local sources for the maintenance of food programs for  
9 children shall not be diminished as a result of funds received  
10 under this Act.

11 “PRESCHOOL PROGRAMS

12 “SEC. ~~23~~ 22. The Secretary may extend the benefits of  
13 school feeding programs under this Act to include preschool  
14 programs operated as part of the school system.

15 “CENTRALIZATION OF ADMINISTRATION

16 “SEC. ~~24~~ 23. Authority for the conduct and supervision  
17 of Federal programs to assist schools in providing food serv-  
18 ice programs for children is assigned to the Department of  
19 Agriculture. To the extent practicable, other Federal agen-  
20 cies administering programs under which funds are to be  
21 provided to schools for such assistance shall transfer such  
22 funds to the Department of Agriculture for distribution  
23 through the administrative channels and in accordance with  
24 the standards established under this Act. *No existing food*  
25 *service program shall be eliminated or curtailed, under this*

1 section, until the Department of Agriculture has instituted a  
2 comparable or improved program.

3 "NO CHANGE IN SCHOOL LUNCH PROGRAM

4 "SEC. ~~25~~ 24. The Secretary shall administer sections ~~1~~  
5 ~~through 12~~ the first twelve sections of this Act to the maxi-  
6 mum extent practicable in the same manner as he adminis-  
7 tered those sections during the fiscal year ended June 30,  
8 1966."

9 SEC. 2. There is hereby authorized to be appropriated  
10 for the fiscal year ending June 30, 1967, not to exceed  
11 \$110,000,000; for the fiscal year ending June 30, 1968,  
12 not to exceed \$115,000,000; and for each of the two suc-  
13 ceeding fiscal years not to exceed \$120,000,000, to enable  
14 the Secretary of Agriculture, under such rules and regula-  
15 tions as he may deem in the public interest, to encourage  
16 consumption of fluid milk by children in the United States  
17 in (1) nonprofit schools of high school grade and under,  
18 and (2) nonprofit nursery schools, child-care centers, settle-  
19 ment houses, summer camps, and similar nonprofit institu-  
20 tions devoted to the care and training of children. For the  
21 purposes of this section "United States" means the fifty States  
22 and the District of Columbia. The Secretary shall admin-  
23 ister the special milk program provided for by this section  
24 to the maximum extent practicable in the same manner as



1 *he administered the special milk program provided for by*  
 2 *Public Law 85-478, as amended, during the fiscal year*  
 3 *ended June 30, 1966.*

Passed the Senate July 12, 1966.

Attest:

EMERY L. FRAZIER,

*Secretary.*



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**AN ACT**

---

To amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children.

---

JUNE 13, 1966

---

Referred to the Committee on Education and Labor

AUGUST 3, 1966

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed



# H. RES. 990

[Report No. 1900]

---

## IN THE HOUSE OF REPRESENTATIVES

AUGUST 25, 1966

Mr. MADDEN, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

---

## RESOLUTION

1       *Resolved*, That upon the adoption of this resolution it  
2 shall be in order to move that the House resolve itself into  
3 the Committee of the Whole House on the State of the  
4 Union for the consideration of the bill (H.R. 13361) to  
5 establish a cooperative Federal-State child nutrition pro-  
6 gram under the direction of the Department of Agriculture.  
7 After general debate, which shall be confined to the bill and  
8 shall continue not to exceed two hours, to be equally divided  
9 and controlled by the chairman and ranking minority mem-  
10 ber of the Committee on Agriculture, the bill shall be read  
11 for amendment under the five-minute rule. It shall be in  
12 order to consider the substitute amendment recommended

1 by the Committee on Agriculture now in the bill and such  
2 substitute for the purpose of amendment shall be considered  
3 under the five-minute rule as an original bill. At the con-  
4 clusion of such consideration the Committee shall rise and  
5 report the bill to the House with such amendments as may  
6 have been adopted, and any Member may demand a sepa-  
7 rate vote in the House on any of the amendments adopted  
8 in the Committee of the Whole to the bill or committee sub-  
9 stitute. The previous question shall be considered as ordered  
10 on the bill and amendments thereto to final passage without  
11 intervening motion except one motion to recommit with or  
12 without instructions. After the passage of the bill (H.R.  
13 13361), it shall be in order in the House to move to strike  
14 out all after the enacting clause of the Senate bill (S. 3467)  
15 and to insert in lieu thereof the provisions contained in  
16 H.R. 13361 as passed by the House.

Figure 1  
Schematic diagram of the proposed system architecture for the proposed system.

### Proposed System

The proposed system is designed to provide a secure and efficient way to manage and store data. It consists of a central server and multiple client devices. The server is responsible for storing and managing the data, while the client devices are responsible for accessing and using the data. The system is designed to be scalable and secure, and it is capable of handling large amounts of data.

## RESOLUTION

[Redacted]

Page 1 of 1  
H. K. K. 2020



89TH CONGRESS  
2d Session

# H. RES. 990

[Report No. 1900]

---

## RESOLUTION

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Providing for consideration of H.R. 13361, a bill to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture.

---

By Mr. MADDEN

---

AUGUST 25, 1966

Referred to the House Calendar and ordered to be printed







Aug. 25, 1966

22-64, Kuchel amendment, (submitted as a substitute for the Holland amendment), which would have established an escalating scale of minimum hourly wages for agricultural workers for the first five years of the bill and thereafter put farm labor minimum wages on a parity with industrial labor covered by the bill. pp. 19748-76

16. PUBLIC LAW 480. Received a GAO report on review of precautions taken to protect commercial dollar sales of agricultural commodities to foreign countries purchasing the same type of commodities under Public Law 480; to Government Operations Committee. p. 19661
17. VEHICLES. Received a GAO report on potential reductions in cost of automotive travel by Federal employees where use of Government-owned vehicles is feasible; to Government Operations Committee. p. 19662
18. USER CHARGES. Received from this Department a draft bill to provide for recovery of administrative costs of marketing orders and agreements; to Agriculture and Forestry Committee. p. 19661
19. PERSONNEL; INVASION OF PRIVACY. Sen. Ervin announced the addition of numerous cosponsors to S. 3703, to protect the employees of the executive branch of the U. S. Government in the enjoyment of their constitutional rights and to prevent unwarranted invasions of their privacy. He also spoke in favor of the bill and inserted several articles on the subject. pp. 19681-6
20. HOUSING. Sen. Clark was added as a cosponsor to S. 3714, to establish an annual or biannual national housing goal. p. 19686

HOUSE

21. CHILD NUTRITION. The Rules Committee reported a resolution for the consideration of H. R. 13361, to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture. ~~p. 19872~~
22. RECREATION. The Interior and Insular Affairs Committee reported with amendment S. 936, to establish the Sleeping Bear Dunes National Lakeshore, Mich., (H. Rept. 1895) and H. R. 8678, to establish the Pictured Rocks National Lakeshore, Mich. (H. Rept. 1896). p. 19872
23. AUTO SAFETY. Conferees agreed to file a report on S. 3005, to establish motor vehicle safety standards. p. D810
24. MILITARY CONSTRUCTION. Agreed to conference report on S. 3105, the military construction bill, which includes a provision to reimburse CCC for family housing. pp. 19809-12
25. DEFENSE APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 15941. pp. 19792-809
26. MANPOWER. The Education and Labor Committee voted to report (but did not actually report) H. R. 16715, to amend the Manpower Development and Training Act of 1962. p. D808
27. CONTRACTORS. The Judiciary Committee voted to report (but did not actually report) H. R. 4497, to require certain contractors with the U. S. to give an

affidavit with respect to payments of subcontractors. p. D809

28. RESEARCH; CONSERVATION. A subcommittee of the Merchant Marine and Fisheries Committee approved for full committee action H. R. 11475, amended, to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the U. S., and H. R. 13447, amended, to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty. p. D809
29. WEIGHTS AND MEASURES. The "Daily Digest" states that the Rules Committee "Denied a rule" on S. 774, to authorize a study of the practicability of the adoption by the U. S. of the metric system of weights and measures. p. 809
30. LABOR STANDARDS. Rep. Dent spoke in support of his bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas. p. 19791
31. MARKETING. Rep. May expressed concern over the "higher food and grocery prices that would result from enactment" of the packaging and labeling bill stating that "in education--not legislation--lies the answer to eliminate consumer confusion in the market place." pp. 19826-7
32. ACREAGE ALLOTMENT. Rep. Andrews, N. Dak., criticized "the increase in wheat acreage allotments for next year," and Secretary Freeman's announcement that next year there will be "unlimited barley production." p. 19827
33. TRANSPORTATION. Rep. Findley announced his support of legislation to create a Department of Transportation stating that it might, however, need some corrective amendments. p. 19827  
Rep. Schriver discussed some of the "faults" of the Department of Transportation bill. pp. 19829-30
34. NATIONAL PARKS. Rep. Boland paid tribute to the National Park Service on its 50th anniversary. pp. 19862-3
35. WATER POLLUTION. Rep. Don H. Clausen discussed the "problems of water pollution" and inserted the text of his bill to provide a tax incentive to industry for the construction of waste treatment works. pp. 19832-36
36. INFLATION. Rep. Curtis criticized the administration for "refusing to shoulder its share of the burden of fighting inflation..." pp. 19824-5  
Rep. Harvey, Ind., inserted an article, "Letting Inflation Inflate." p. 19825
37. WATER RESOURCES. Rep. Saylor criticized the handling of the Nation's water resources and inserted a Library of Congress compilation showing the many agencies involved in dealing with water resources. pp. 19849-58







# **DIGEST** of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued Sept. 2, 1966  
For actions of Sept. 1, 1966  
89th-2nd; No. 147

## CONTENTS

Adjournment.....	10,28	Forests.....	27	Personnel.....	29
Advisory committee.....	19	Fruits and vegetables....	1	Poverty.....	33
Animal research.....	35	Geothermal steam.....	23	Property.....	32,40
Balance of payments..	14,38	Grain storage.....	17	Reclamation.....	13
CCC.....	41	Guam.....	5	Recreation.....	8
Child nutrition.....	11	HemisFair.....	21	Research.....	19,22,35
Containers.....	1	Interest rates.....	25	Saline water research...	22
Corn.....	41	Intergovernmental		School milk.....	9
Credit.....	30	cooperation.....	26	Small business.....	41
Demonstration cities...	12	Labeling.....	2	Soil conservation.....	29
Education.....	15	Lands.....	18	Tariffs.....	3
Farm labor.....	31	Legislative policy....	39	Timber.....	27,37
Federal grants.....	26	Marketing.....	24	Traffic safety.....	4
Flood control.....	16	Milk.....	36	Truth in packaging.....	24
Foreign aid.....	20,34	National park.....	27,37	Water pollution.....	7
Foreign currencies.....	14	Organization.....	42	Watersheds.....	6,39

HIGHLIGHTS: House passed child nutrition bill. House committee reported bill to permit sale of grain storage facilities. House agreed to conference report on foreign aid authorization bill. Sen. Proxmire urged completion of action on school milk program.

## SENATE

1. CONTAINERS. Passed as reported S. 17, to repeal certain acts setting standards for containers for fruits and vegetables. pp. 20653-4
2. LABELING. Passed as reported S. 3298, to amend the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use. pp. 20654-9

3. TARIFFS. Passed without amendment H. R. 12328, to extend for three years the duty-free treatment of certain extracts suitable for tanning (p. 20650); and passed without amendment H. R. 12461, to continue until Sept. 5, 1969, the suspension of duty on certain istle (pp. 20650-1). These bills will now be sent to the President.
4. TRAFFIC SAFETY. Agreed to the conference report on S. 3052, to provide for a coordinated national safety program through financial assistance to the States to accelerate traffic safety programs. This bill will now be sent to the President. pp. 20701, 20668
5. GUAM. Passed without amendment S. 2979, to extend coverage of the State Technical Services Act of 1965 to the territory of Guam. p. 20702
6. WATERSHEDS. Sen. Randolph inserted a list of various watershed projects approved by the Public Works Committee. pp. 20649-50
7. WATER POLLUTION. Sens. Randolph and Hartke expressed concern about the pollution of Lake Michigan during dredging by the Corps of Engineers. pp. 20668, 20681-2
8. RECREATION. Sen. Jackson inserted President Johnson's remarks at Burlington, Vt., praising the development of recreational facilities in the U. S. and stating that "we are winning our fight for conservation..." pp. 20672-3
9. SCHOOL MILK. Sen. Proxmire urged the completion of action on the school milk program before Congress adjourns. p. 20679
10. ADJOURNMENT. Agreed that upon completion of business the Senate would adjourn until Fri., at which time the Senate adjourn with no transaction of business until Tues., Sept. 6. p. 20663

HOUSE

11. CHILD NUTRITION. Passed S. 3467, the child nutrition bill, with an amendment to substitute the language of a similar bill, H. R. 13361 which was passed earlier with amendments. H. R. 13361 was tabled (pp. 20734-54). An amendment by Rep. Findley to omit the breakfast program was rejected 52-95 (pp. 20751-3). For provisions of this bill see Digest 110.  
Rep. Gonzalez expressed the "need for centralization of administration of child feeding programs." pp. 20789-90
12. DEMONSTRATION CITIES. The Banking and Currency Committee reported with amendment S. 3708, the demonstration cities and metropolitan development bill (H. Rept. 1931). p. 20805
13. RECLAMATION. Received the conference report on S. 254, to authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin Federal reclamation project, Oreg. (H. Rept. 1932). p. 20715
14. FOREIGN CURRENCIES. The Ways and Means Committee reported S. 801, to improve the balance of payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures (H. Rept. 1954). p. 20805



The committee amendments were agreed to.

Mr. FASCELL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, the gentleman from Montana [Mr. OLSEN], Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 15098, to amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes, pursuant to House Resolution 949, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gross moves to recommit the bill, H.R. 15098, to the House Committee on Foreign Affairs.

The SPEAKER. Without objection, the previous question is ordered.

The question was taken; and the Speaker announced that the nays appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The doorkeeper will close the doors, the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 147, nays 184, not voting 101, as follows:

[Roll No. 262]

YEAS—147

Adair	Bates	Broyhill, Va.
Anderson, Ill.	Belcher	Buchanan
Andrews,	Berry	Byrnes, Wis.
George W.	Betts	Cahill
Andrews,	Bolton	Callan
Glenn	Bow	Cameron
Andrews,	Bray	Cederberg
N. Dak.	Brock	Chamberlain
Arends	Broomfield	Chelf
Ashbrook	Brown, Clar-	Clancy
Ashley	ence J., Jr.	Clausen
Atres	Broyhill, N.C.	Don H.

Clawson, Del.	Hansen, Idaho	Passman
Cleveland	Hansen, Iowa	Pike
Collier	Harsha	Pirnie
Conable	Harvey, Mich.	Poff
Conte	Henderson	Quie
Cramer	Hosmer	Quillen
Culver	Hutchinson	Reid, Ill.
Curtin	Irwin	Reid, N.Y.
Curtis	Jarman	Reifel
Dague	Joelson	Rhodes, Ariz.
Davis, Wis.	Johnson, Pa.	Robison
Devine	Jonas	Roudebush
Dickinson	Keith	Rumsfeld
Dole	Kornegay	Schneebeli
Duncan, Oreg.	Kunkel	Schweiker
Duncan, Tenn.	Laird	Shriver
Dwyer	Langen	Skubitz
Edwards, Ala.	Latta	Smith, Calif.
Ellsworth	Lennon	Smith, N.Y.
Erlenborn	Lipscomb	Springer
Evans, Colo.	McCarthy	Stafford
Findley	McCulloch	Stalbaum
Fino	McDade	Stanton
Foley	MacGregor	Stratton
Ford, Gerald R.	Mailliard	Talcott
Fountain	Marsh	Taylor
Gathings	Martin, Mass.	Thomson, Wis.
Goodell	Martin, Nebr.	Todd
Grabowski	Mathias	Tuck
Green, Oreg.	May	Vivian
Grider	Meeds	Watson
Griffiths	Michel	Whitener
Gross	Minshall	Whitten
Grover	Monagan	Widnall
Gubser	Moore	Wilson, Bob
Gurney	Morse	Wolff
Haley	Morton	Wylder
Hall	Natcher	Younger
Halpern	Nelsen	

NAYS—184

Adams	Gilbert	Patten
Albert	Gonzalez	Pelly
Anderson,	Gray	Pepper
Tenn.	Green, Pa.	Perkins
Annunzio	Greigg	Philbin
Aspinall	Hagen, Calif.	Pickle
Hamstra	Hamilton	Poage
Barrett	Hanley	Pool
Beckworth	Hanna	Powell
Bennett	Hardy	Price
Bingham	Hathaway	Pucinski
Blatnik	Hawkins	Purcell
Boland	Hechler	Race
Brademas	Helstowski	Randall
Brooks	Hicks	Redlin
Brown, Calif.	Hoffield	Resnick
Burke	Holland	Reuss
Burleson	Howard	Rhodes, Pa.
Burton, Calif.	Hull	Rivers, Alaska
Byrne, Pa.	Hungate	Roberts
Cabell	Huot	Rodino
Carey	Jacobs	Rogers, Fla.
Casey	Jennings	Ronan
Clark	Johnson, Calif.	Roncaillo
Cleverger	Johnson, Okla.	Rooney, N.Y.
Colmer	Jones, Ala.	Rooney, Pa.
Conyers	Karsten	Rostenkowski
Cooley	Kastenmeier	Roush
Craley	Kee	Roybal
Daddario	Kelly	Ryan
Daniels	King, Calif.	St Germain
de la Garza	King, Utah	St. Onge
Delaney	Kirwan	Scheuer
Dent	Kluczynski	Schlesler
Denton	Kupferman	Secrest
Derwinski	Leggett	Selden
Diggs	Love	Shibley
Dingell	McDowell	Sikes
Donohue	McFall	Sisk
Dorn	McGrath	Slack
Dow	McVicker	Smith, Iowa
Dowdy	Machen	Smith, Va.
Downing	Mahon	Staggers
Dulski	Matsunaga	Steed
Dyal	Matthews	Stubblefield
Edwards, Calif.	Miller	Sullivan
Everett	Mills	Teague, Tex.
Fallon	Minish	Tenzer
Farbstein	Mize	Trimble
Farnsley	Moorhead	Tunney
Farnum	Morgan	Tupper
Fascell	Morris	Udall
Feighan	Moss	Vanik
Flood	Multer	Vigorito
Fogarty	Murphy, N.Y.	Waggonner
Ford,	Nedzi	Waldle
William D.	Nix	Walker, N. Mex.
Fraser	O'Hara, Ill.	Weltner
Frelinghuysen	O'Hara, Mich.	White, Tex.
Fuqua	Olsen, Mont.	Wright
Gialmo	Ottinger	Yates
Gibbons	Patman	Young

NOT VOTING—101

Abbitt	Harvey, Ind.	Rees
Abernethy	Hays	Reinecke
Addabbo	Hébert	Rivers, S.C.
Ashmore	Herlong	Rogers, Colo.
Baring	Horton	Rogers, Tex.
Battin	Ichord	Rosenthal
Bell	Jones, Mo.	Satterfield
Boggs	Jones, N.C.	Saylor
Bolling	Karh	Schmidhauser
Burton, Utah	Keogh	Scott
Callaway	King, N.Y.	Senner
Carter	Krebs	Sickles
Celler	Landrum	Stephens
Cohelan	Long, La.	Sweeney
Corbett	Long, Md.	Teague, Calif.
Corman	McClory	Thomas
Cunningham	McEwen	Thompson, N.J.
Davis, Ga.	McMillan	Thompson, Tex.
Dawson	Macdonald	Toll
Edmondson	MacKay	Tuten
Edwards, La.	Mackie	Ullman
Evins, Tenn.	Madden	Utt
Fisher	Martin, Ala.	Van Deerlin
Flynt	Mink	Walker, Miss.
Friedel	Moeller	Watkins
Fulton, Pa.	Morrison	Watts
Fulton, Tenn.	Mosher	Whalley
Gallagher	Murphy, Ill.	White, Idaho
Garmatz	Murray	Williams
Gettys	O'Brien	Willis
Gilligan	O'Konski	Wilson
Hagan, Ga.	Olson, Minn.	Charles H.
Halleck	O'Neal, Ga.	Wyatt
Hansen, Wash.	O'Neill, Mass.	Zablocki

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Scott for, with Mr. Hébert against.  
Mr. Jones of North Carolina for, with Mr. O'Neill of Massachusetts against.

Mr. Battin for, with Mr. Keogh against.  
Mr. King of New York for, with Mr. Addabbo against.

Mr. Utt for, with Mrs. Thomas against.  
Mr. Satterfield for, with Mr. Fisher against.

Mr. Teague of California for, with Mr. Zablocki against.

Mr. Burton of Utah for, with Mr. Thompson of Texas against.

Mr. McEwen for, with Mr. Krebs against.  
Mr. Cunningham for, with Mr. Macdonald against.

Mr. Reinecke for, with Mrs. Mink against.  
Mr. Carter for, with Mr. Edmondson against.

Mr. Harvey of Indiana for, with Mr. Evins of Tennessee against.

Mr. Saylor for, with Mr. Fulton of Tennessee against.

Mr. McClory for, with Mr. Garmatz against.  
Mr. Horton for, with Mr. Friedel against.

Mr. Fulton of Pennsylvania for, with Mr. Gilligan against.

Mr. Corbett for, with Mr. Celler against.  
Mr. Mosher for, with Mr. Murphy of Illinois against.

Mr. O'Konski for, with Mr. Gallagher against.

Mr. Whalley for, with Mrs. Hansen of Washington against.

Mr. Wyatt for, with Mr. Cohelan against.  
Mr. Watkins for, with Mr. Corman against.

Mr. Bell for, with Mr. Madden against.  
Mr. Walker of Mississippi for, with Mr. Van Deerlin against.

Mr. Schmidhauser for, with Mr. Boggs against.

Until further notice:

Mr. Abbitt with Mr. Long of Louisiana.  
Mr. Davis of Georgia with Mr. Callaway.

Mr. McMillan with Mr. Mackie.  
Mr. Dawson with Mr. Charles H. Wilson.

Mr. Willis with Mr. Ichord.  
Mr. Landrum with Mr. Abernethy.

Mr. Rivers of South Carolina with Mr. Flynt.

Mr. Ullman with Mr. Baring.  
Mr. Sickles with Mr. Edwards of Louisiana.

Mr. Rogers of Texas with Mr. Ashmore.



Mr. Hays with Mr. Gettys.  
 Mr. Hagan of Georgia with Mr. Herlong.  
 Mr. Long of Indiana with Mr. Mackay.  
 Mr. Moeller with Mr. Morrison.  
 Mr. Olson of Minnesota with Mr. Rees.  
 Mr. O'Neal of Georgia with Mr. Williams.  
 Mr. White of Idaho with Mr. Halleck.  
 Mr. Stephens with Mr. Watts.  
 Mr. Thompson of New Jersey with Mr. Sweeney.

Mr. Rostenkowski with Mr. Rogers of Colorado.

Mr. Ullman with Mr. Tuten.

Mr. Senner with Mr. Toll.

Mr. Murray with Mr. Martin of Alabama.

Mr. STUBBLEFIELD changed his vote from "yea" to "nay."

Mr. FINDLEY, Mr. LANGEN, Mr. CURTIS, and Mr. STAFFORD changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

So the bill was passed.

A motion to reconsider was laid on the table.

#### CHILD NUTRITION ACT OF 1966

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 990, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 990

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13361) to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Agriculture now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of the bill (H.R. 13361), it shall be in order in the House to move to strike out all after the enacting clause of the Senate bill (S. 3467) and to insert in lieu thereof the provisions contained in H. R. 13361 as passed by the House.

Mr. SMITH of Virginia. Mr. Speaker, I yield myself 10 minutes, and I yield to the gentleman from Tennessee [Mr. QUILLEN] 30 minutes.

The SPEAKER. The gentleman is recognized for 10 minutes.

Mr. SMITH of Virginia. Mr. Speaker, the resolution would make in order the

bill commonly known as the child nutrition bill, a bill usually called the school lunch program bill.

The rule provides for 2 hours of general debate, and at the conclusion of the general debate the bill shall be read under the 5-minute rule, and upon passage of the bill it shall be in order to take up the Senate bill and insert the provisions of the House bill in lieu of the provisions of the Senate bill.

I support the normal school lunch bill, and I shall support this bill, but I wish to call to the attention of the House a provision that in my judgment should not be in this bill.

This bill provides not only for the lunch program, but, for the first time in the history of this legislation, it undertakes to enlarge the program to include a breakfast program.

They say this is a pilot program. This is an extension of the thing to see how it is going to work to furnish breakfast. The amount involved is \$17 million for this foot in the door. That is what this is. This is a foot in the door, and one more contribution to the welfare state.

I know it is not popular to say this, but at some time or other this country is going to have to realize that there is a limit to what the Federal Government can do in the way of turning this supposedly constitutional government into a welfare state.

I do not know any more reason why we should furnish the children breakfast than that we should furnish them supper. They say the children cannot get adequate breakfast before they go off to school. Therefore, they have to go to school hungry and wait for the free lunch. But is it any worse for them to go to school hungry in the morning than it is for them to go to bed hungry at night? What are we going to do about supper, when that comes up next year or the year after?

As I said before, I know it is not popular to say this, but I believe some people ought to speak out on some of these things once in a while.

There was considerable question this year about the lunch program. The lunch program was not included in the budget. But the lunch program is a program we have had so long in this country that it has become a fixed part of the school expenses and the States have learned to rely upon it and depend on it. It has been useful.

I believe it has been worthwhile and I believe it is worthwhile to continue it. But when we start in on breakfast and then start in on supper, then we will probably have to provide barracks so the children can sleep in the school area. Then probably the next step will be as they do in Russia, to put the children in dormitories and keep them overnight, so they will not have to bother the parents at night.

The parents will not have to feed their children. They will not have to be bothered with them, under this breakfast program, in the morning. All they have to do is throw a few clothes on the children and shoot them out the door, and then the parents have the whole day free.

Then we will come to supper and we will have to give them supper. Now, when suppertime comes, and the parents do not have to get supper, the parents can go to the movies. They will not even have to go home.

This is a pretty good scheme to break up what is left of the American home and home living, of parents taking care of their children and feeding them and furnishing them clothes and giving them love and affection. Are we coming to the point where we are going to do away with all those things? Are we coming to the point where we are going to regiment the future generations of this country, just as they do in Russia? I see some of my friends on the Agriculture Committee. Of all committees in this House, I am particularly surprised that that committee should report a bill that is as far to the left as this proposal is.

When this bill came before the Rules Committee, a question was raised about it. The Rules Committee held it up for a little while, and individual members of our committee protested to the Committee on Agriculture, to take out this innovation, to not start this new experimental program at a time when we have such large programs for domestic innovations and when we are running into increasing expenses for the war in Asia.

I was told that the committee met on this subject and that there was a very close division about whether to at least postpone this program until some future and more appropriate time, if one ever comes. I do not believe the time will ever come when the Nation as such should undertake the complete nursery business. If it takes the place of the parents of the children, we will never have a solid, sound, good citizenship, if we abandon the things that have made America, the home and homelife and a realization on the part of parents that it is their sacred duty to take care of their own children. Of course, when they cannot, Lord knows we do have plenty of programs to take care of their reasonable needs.

I am not complaining about the amount of money involved in this. I am complaining about the principle—the principle of having the State raise the children of the Nation instead of having them raised in their homes.

My friends, you can do as you please about this bill. I am going to vote for it whether you take this out or not. I believe it ought to be taken out. I hope someone will offer an amendment to take it out.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, as the gentleman from Virginia has ably stated, House Resolution 990 permits the consideration of H.R. 13361, the Child Nutrition Act of 1966, under an open rule with 2 hours of general debate, making it in order to consider the committee substitute as an original bill for purposes of amendment under the 5 minute rule. After passage of H.R. 13361, it shall be in order to take from the Speaker's table



Senate bill S. 3467 and strike out all after the enacting clause, inserting the provisions contained in H.R. 13361, as passed by the House.

The purpose of H.R. 13361 is to continue the current special milk program through which milk at reduced prices is made available to children in schools, camps and similar institutions for an additional 3 years, and to add two new child assistance programs: First, a school breakfast program as a pilot project, to be operated much the way the current school lunch program does; second, a nonfood assistance program to assist those schools which cannot finance the installation of food preparation and serving facilities and equipment to obtain such equipment.

The authorizations for the milk program are \$110 million for fiscal 1967, and \$115 million for 1968, and for each of the next 2 years, \$120 million.

The pilot project for school breakfasts is to run for 2 years. Authorizations for it are \$7,500,000 and \$10 million respectively.

Scientific studies strongly indicate that the hungry child does not learn, so all the money spent on good equipment, proper facilities, and qualified teachers would be wasted if the children who come to school hungry are not helped.

The funds for this program are to be distributed to the several States according to the apportionment formula currently used to distribute school lunch program funds, each State to disburse its funds to schools it selects, giving first consideration to poorer areas of the State, and to schools whose pupils must travel long distances to school. Public and nonprofit private schools are included under all programs authorized by the bill.

The second new program set up under the bill is not a pilot project; it is not written as an amendment to the School Lunch Act, but does affect that program. A 3-year authorization is called for to provide nonfood assistance to schools which do not have sufficient funds to set up or expand their food preparation and serving facilities and equipment.

The authorizations are: for fiscal 1967, \$12 million; for 1968, \$15 million; for 1969 and 1970, \$18 million; and for the succeeding years, such sums as the Congress may authorize.

This program does touch the jurisdiction of the Committee on Education and Labor as it affects the School Lunch Act. Section 13 of the bill also touches the act as it provides authority for the Secretary of Agriculture to extend the benefits of all the school food programs to preschool programs operated as part of the school system.

There are no minority views expressed.

Mr. Speaker, I know of no objection to the rule, and I urge the adoption of the rule.

Mr. Speaker, I have no further requests for time and reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13361) to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture.

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13361 with Mr. OLSEN of Montana in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] will be recognized for 1 hour and the gentleman from Minnesota [Mr. QUINN] will be recognized for 1 hour. The Chair now recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to use to the gentleman from California [Mr. HAGEN] the chairman of the subcommittee which conducted and held the hearings on this measure.

(Mr. HAGEN of California asked and was given permission to revise and extend his remarks.)

Mr. HAGEN of California. Mr. Chairman and members of the committee, this bill and the program it establishes should be very noncontroversial and I hope we can dispense with debate here in very short order. The thrust of this legislation is to continue two existing programs of child feeding, to add another program of child feeding, and to assist school districts in implementing the existing school lunch program by helping them with the purchase of some of the equipment needed to conduct a school lunch program. We are aiming this bill at needy children. If we are going to relieve poverty, I do not think that anyone can quarrel at all with that purpose, because certainly the most dismal aspect of poverty is the lack of food or the lack of necessary nutritional requirements in food particularly children who are not guilty of sin or error. This bill is designed to assist poor kids and to assist schools in assisting poor children to get a nutritious and a balanced diet at least at noon and in some districts at breakfast.

Mr. Chairman, I shall go through this bill in order to inform the members of the Committee of the Whole House on the State of the Union as to exactly what it proposes to do.

Presently, Mr. Chairman, we have a school milk program which terminates, unless it is further authorized, on June 30, 1967. This Congress has already appropriated moneys for the operation of this program for fiscal year 1967. We are adding 3 years to the authorization of the special school milk program and have set ceilings on the amounts that can be appropriated during each of those 3 years.

For fiscal year 1968 the amount is \$115 million. For fiscal year 1969 the amount

is \$120 million. For fiscal year 1970 the amount is \$120 million.

Mr. Chairman, we do not change the details of the special school milk program.

I may say that there are many Members in this Congress, from agricultural areas principally, who have introduced separate legislation designed to extend the school milk program and much as we are extending it here. They, of course, have a vital interest in the passage of this legislation.

Further, Mr. Chairman, I may say that by far the greatest portion of the expenditure represented in this bill is attributed to the school milk program, which has been successfully in operation for these last several years.

Mr. Chairman, the second part of the bill, beginning on page 32, entitled "The School Breakfast Program," is a new child-feeding program. We have specifically designated this as a pilot program and to implement this program as a pilot program, we have limited its authorization to a period of 2 years, with a total possible appropriation in 1967 fiscal year of \$7.5 million; and in fiscal year 1968, \$10 million, for a total of \$17.5 million for this new pilot program.

Mr. Chairman, at the end of the first year of the operation of this program, therefore, we shall be able to look at it and decide whether in our wisdom it has worked well. And if it has performed well, I am confident that it will be extended and expanded.

Mr. Chairman, the provisions of this new program are so drawn that they are targeted toward school areas which have the largest number of poor children, children who are least able, we shall say, to secure breakfast at home in areas such as some of the slum areas of our cities.

Mr. Chairman, many of these children go to school in the morning without having had anything to eat.

There is ample testimony from educators to the effect that their educational performance insofar as results are concerned with the result that not only does the child who is without a breakfast suffer in his learning, but his conduct reflects upon other children and they too suffer in their learning process.

Now, Mr. Chairman, we have established here the terms as to who is eligible for this pilot breakfast program which is based upon the apportionment formula contained in the National School Act.

Mr. Chairman, this apportionment formula has worked well for the School Lunch Act and we are confident that it will work equally well with respect to this breakfast program in apportioning among the States. Then the State agencies will have to designate needy schools or schools where children have to travel long distances to schools such as in some of our rural areas which are included in schools which would be eligible. This money will also go into those schools which have large numbers of distressed children because of the poverty of their parents. The bulk of the money will probably be granted to this last category of school.



Now in establishing this title we also have a ceiling on the amount of Federal contributions to the operation of any breakfast program.

Basically, the Federal Government will contribute the cost of the food. But we recognize that in some instances a little more help will be needed for individual school districts, so that we have provided a special category of school which might receive extra assistance up to 80 percent of the cost of that assistance.

That is the second feeding program in this bill.

A third one relates to nonfood assistance, the authorization for which appears beginning on page 34 of the bill. Presently it is understood that there is some foggy authority under the present School Lunch Act for the Department of Agriculture to assist schools with providing a means of serving a lunch. But the criteria in the law does not direct it into the area of the needy schools and the Department feels they want explicit authorization from the Congress with some criteria that will direct this nonfood assistance money into those schools which really have need for it.

Here again we have created a program which will be reviewed by the Congress at the end of an appropriate period because we have established only a 4-year program.

The Senate has passed a bill on this subject and it is totally open end with no explicit possibility of review by the Congress. We have established a 4-year program for the nonfood assistance with a definite ceiling for each year. Our funding for the fiscal year 1967 is \$12 million; for 1968 it is \$15 million; for 1969 it is \$18 million and for 1970 it is \$18 million—for a total of \$63 million.

These grants-in-aid will be made to the States to assist the schools which can prove a demonstrated inability to provide their own food serving facilities in order that these schools might participate in the school lunch program.

It is my understanding that there are some 9 million children in the United States who presently are not entitled to participate in the school lunch program because their school district does not have the necessary local resources to provide kitchen facilities, and so forth that are needed to conduct such a program.

I may say this money cannot be spent for land or buildings, merely the accouterments to go into a kitchen and cafeteria to provide service of food under the school lunch or the school breakfast programs.

We have adopted the formula for apportionment among States of this money which is the same formula that is in the school lunch program and which has worked so well.

I may say that these new programs are also available to private, nonprofit schools including parochial schools. That has been true and is true presently in the case of the school lunch and milk programs. So we are adding nothing new on the separation of church-state issue. The aid is for the child not the school, we have provided that where a

private, nonprofit school receives this non-food assistance which essentially is capital equipment, that if they cease to use it for the purposes of our different child feeding programs, then the title thereof will revert to the United States.

The next provision of the bill which you might be interested in is one that will assist the States to some extent in administering these new programs of child feeding which we are providing.

Schools around the United States generally have very ticklish financial problems, and since we are hereby imposing these new responsibilities on them, we have provided for some contribution from the Federal Government to the new responsibilities we have given to them.

There is also a provision in here for Federal direction for utilization of surplus foods so that we will do something about this program of farm surpluses in those areas where they exist through the medium of the feeding programs.

Probably the next significant provision is section 12 which provides for a centralization of all of the federally supported food feeding programs in the Secretary of Agriculture.

Presently the Secretary of Agriculture is the big operator in this area through the school lunch program and the school milk program. But apparently there are some fringe programs which presently do not come under his jurisdiction. In this bill we provide that all of them shall come under his jurisdiction.

Finally, in section 13 we spell out the fact that a preschool feeding program operated by a school district shall be considered a bon fide part of the school lunch program, and eligible for assistance under the Federal school lunch program.

Apparently there is some present doubt in the law as to whether or not a preschool feeding program, say, a kindergarten or prekindergarten feeding program conducted by a school, would be eligible for Federal assistance. We make their eligibility clear through this section of the bill.

Gentlemen, I believe that covers the bill in its entirety. I may say that there were almost no dissents on our committee when we approved it. I understand there were very few dissents on the Rules Committee when they approved the legislation. The Senate passed a companion bill by a 76 to 0 vote. I am hopeful that we can pass this bill with a minimum of discussion, and send it to the Senate for acceptance of our version or for conference.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Ohio.

Mr. HARSHA. As I understand it, there are going to be some pilot programs under this legislation.

Mr. HAGEN of California. Only with respect to the breakfast program.

Mr. HARSHA. Can the gentleman tell me where it is anticipated these pilot programs will be conducted?

Mr. HAGEN of California. Under our bill we would allocate this money among all the States evenly, and also to certain

possessions like Samoa and the Virgin Islands. We have a special program for them. Once the money gets within a State, the State agency will approve the particular schools that will be eligible, on the basis of economic need, for a pilot breakfast program. This is a responsibility that would be left to the States.

Mr. HARSHA. Then would the gentleman advise me as to whether the sole responsibility will rest in the individual State, or is this again subject to the approval of the Secretary of Agriculture?

Mr. HAGEN of California. As far as identifying schools, that will be the sole responsibility of the State agency within the criteria that are in the bill, and we spell out that it shall be an area of low income, and so forth, and an area where children have to travel long distances in order to get to school. I assume the Secretary will have regulations to more clearly spell out the definition of distressed pupils and a distressed school district.

Mr. HARSHA. I thank the gentleman.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the distinguished gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's long explanation on the bill. I am sure he is to be complimented on the hearings he has produced. I do have some reservations about the pilot program, but this is like being against something that is sacred. If children are really in need, of course, most people are for it.

The question that occurred to me is based on a lot of constituent making. The gentleman will recall, I am sure, in the original budget as sent down by the administration, the school lunch program and the milk program were very drastically cut back, and we have taken action here. The Committee on Appropriations has already for one of the fiscal years restored that in this body. Does the authorization that is coming through here today under this bill now under consideration have the Presidential blessing, and is it budgeted?

Mr. HAGEN of California. In answer to the gentleman's question, I do not believe that the initial amounts of the breakfast program and the nonfood assistance are presently budgeted, but I am sure they would be immediately in a supplemental appropriation bill on the passage of this legislation.

In further answer to the gentleman's question, let me say that we conform to the position of the Congress with respect to the school milk program and the school lunch program. There was somewhat of a rebellion against the administration, the gentleman will recall, for I think he was one of the rebels. We feel that the existing levels of the school milk and lunch programs have demonstrated their value, and this bill recognizes that fact, and, in addition, supports the objective of the administration in bringing some new aid into these extremely poor school districts.

Mr. HALL. This is a tried and true program, the gentleman, who is a member of the Agriculture Committee, would agree.



Incidentally, I am glad the Committee on Agriculture is bringing this bill to the floor today instead of some other committee that might have jurisdictional aspirations, because surplus of food and produce of the land is involved here. You would agree with me that this is a tried and true program, and that it is a function of the House of Representatives to determine this and to legislate accordingly. That, as I understand, is what is being done.

Mr. HAGEN of California. I appreciate the gentleman's compliment, and I say that what he has said is absolutely correct.

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. As the distinguished gentleman from California knows, the Commissioner on Education and the Department of Health have established certain guidelines in which they insist upon a certain percentage of integration before they will approve schools for medicare purposes and schools for Federal aid.

Is there any authority in this legislation, or is it the intent of the committee, to authorize the Secretary of Agriculture to insist upon any kind of desegregation or integration before the children will be eligible for these programs?

Mr. HAGEN of California. In a way I am sorry the gentleman brought this up, because there is another gentleman of a very opposite persuasion who intends to bring up this issue.

To date, the position of the Department of Agriculture has been, according to their interpretation of the law, that title VI of the Civil Rights Act does not require them to deny aid to a school because the school is not integrated. That is their present position. Whether they are interpreting the law correctly is a matter for the lawyers to decide.

Mr. FOUNTAIN. I would like, if the gentleman will yield further, to say that I concur with the point of view expressed by the Secretary of Agriculture. I also feel the Commissioner of Education and the Department of Health are going beyond the authority contained in title VI when they go beyond the so-called freedom of choice plan, which has been adopted and has been approved for schools and hospitals throughout the country.

Mr. HAGEN of California. May I further answer the question of the gentleman? I have here a letter from Edward M. Shulman, Acting General Counsel for the Department of Agriculture. In essence it states the position of the Department is that if in a given area there are two schools, one black and one white, we will say, they cannot get any aid for the white school unless they help the black school, and within a student body they cannot offer school lunches only to the Caucasian and not to the Negro children. But they do not believe they should use the school lunch program as a lever to force integration. There are other measures for that, and the courts are busy with that every day.

Mr. FOUNTAIN. I thank the gentleman for his response. I believe that is a reasonable attitude to take. Regardless of whether schools are integrated or not integrated, children who are hungry have to eat. May I suggest to the gentleman that he put the letter in the RECORD.

Mr. HAGEN of California. Mr. Chairman, I will ask unanimous consent for such insertion.

The CHAIRMAN. I believe the gentleman will have to take that up in the House.

Mr. HAGEN of California. I am advised I cannot make the insertion now.

Let me answer your question further. I am not expressing my own opinions or position or sentiment. This is a legal interpretation from the Counsel's office for the Department of Agriculture.

Mr. CALLAN. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I recognize the gentleman from Nebraska, a member of the committee.

Mr. CALLAN. Mr. Chairman, it is true, is it not, that the Department of Agriculture and the administration are wholeheartedly supporting this breakfast program, and that funds in the supplemental will be requested for this program?

Mr. HAGEN of California. The gentleman is entirely correct. This breakfast-lunch program is designed to reach into those areas where there are large percentages of children from poor families and as a consequence, generally, the school districts in such areas have a very small tax base for operating a proper school system.

So this breakfast program is designed to go into those areas of pockets of poverty, to see to it that those children who, in large numbers, would probably not get breakfast in the morning will be able to have breakfast. This has the wholehearted support of the administration.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, some concern has been expressed by constituents in my home State, who are involved in the school lunch program, that this new breakfast program may jeopardize the school lunch program by tending to cut into and reduce the present school lunch program.

Is there any substance to this?

Mr. HAGEN of California. In answer to the gentleman let me say that this is a legitimate concern, which was the subject of concern in our committee. Actually, this decision would have to be made basically by the Appropriations Committees of the Congress and the whole Congress acting on the position of the Appropriations Committees.

We contemplate that this will be an additional expenditure, not a subtraction from the expenditure either for the school milk program or for the school lunch program.

Mr. MATSUNAGA. Do I understand the gentleman to say that this program will be over and above the present, existing program?

Mr. HAGEN of California. That is correct.

Mr. MATSUNAGA. And will in no way jeopardize the existing school lunch program?

Mr. HAGEN of California. We want to make it clear to the administration that in approving this breakfast program and nonfood assistance program we expect the administration to seek a necessary level of appropriations to properly fund both the school lunch program and the school milk program.

Mr. MATSUNAGA. And there is every likelihood that the administration will do exactly that, because the administration endorses this breakfast program?

Mr. HAGEN of California. That is correct. Congress already this year has worked its will to rebuff the once-stated position of the administration on this issue, and will have authority to do so again.

Mr. MATSUNAGA. I thank the gentleman.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Minnesota.

Mr. QUIE. Along that line, is it not true that the administration witnesses who appeared before the committee indicated that the administration no longer is pushing for a cut in the special school milk program or for a cut in the school lunch program, which was proposed at the beginning of the Congress, but now has seen the wisdom of expending the money the Appropriations Committee has put up?

Mr. HAGEN of California. I thank the gentleman for adding that. The support Congress has given these two programs by its action this year indicates their value. Probably this is the most direct application of necessary aid to alleviate the problem of poverty in this country.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Oklahoma.

Mr. BELCHER. I thought the Appropriations Committee already had cut the \$110 million down to \$104 million.

Mr. HAGEN of California. In answer to the question, they have. We merely set a target goal, I say to the gentleman from Oklahoma. They did increase the appropriations above what they were last year, and much above what the administration sought.

Mr. BELCHER. Then the \$6 million which was cut below the authorization, the gentleman does not believe was done in contemplation of the fact that they were going to have to appropriate additional funds for the other parts of this bill that have not been programmed heretofore; is that correct?

Mr. HAGEN of California. I have no knowledge of that fact; no.

Mr. STALBAUM. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Wisconsin.

Mr. STALBAUM. Is it not true that last year the administration asked for



\$110 million for the school milk program and it was cut to \$103 million, without any contemplation of a program of this type at that time, which would indicate that there is no significance as between the present cut and the contemplation of a new program.

Mr. HAGEN of California. I would agree that is a sound conclusion.

Mr. STALBAUM. I should like to pursue the school milk matter further with the chairman of the subcommittee, but first I want to commend the gentleman from California for the excellent job he has done, in my opinion, in this draft of this bill. I realize it is considerably different from the Senate version, particularly as to the allocation of funds and some other features. Having sat on that subcommittee, I feel the gentleman has come up with an outstanding draft, and I hope that most of it will be adopted by the two Houses in the final conference version.

I should like to pursue, very briefly, the school milk program.

Mr. HAGEN of California. If I may interrupt the gentleman at that point, I thank him for the compliment. I wish to say that it has been my observation that in the brief time the gentleman from Wisconsin has been in the Congress he has established one of the outstanding records of accomplishment of which I know. He has been particularly effective in the area of dairy legislation.

Mr. STALBAUM. I thank the gentleman very much. On the school milk program, in line with the point made briefly earlier by the gentleman from Minnesota [Mr. QUIE], the original proposal, as I recall, called for only some \$21 million for school milk, and included therein a means test, so that the children who would get the use of Federal money would be the ones who had no funds with which to buy the milk, and all the other children, of course, would have to buy the milk at the regular price.

I wanted to make it clear by asking the subcommittee chairman handling this debate this question: Is it not true that section 3 as it now appears in the bill is virtually identical with the existing school milk program and in fact is word for word the present school milk program?

Mr. HAGEN of California. That is correct. And it is clear with respect to other parts of this bill that we do not intend in operating these programs that a poor child will be stigmatized by being segregated.

Mr. STALBAUM. Was it not the intent of the subcommittee and the full committee in the school milk program that we intended to continue to operate it in the future fundamentally the same as it has been in the past? In other words, we recommended no changes in the school milk program in this draft of the bill?

Mr. HAGEN of California. That is correct.

Mr. Chairman, I wish to read into the RECORD at this point the history of this subject with regard to appropriations and requests with respect to the school milk and the school lunch programs. In

fiscal year 1966 the Congress appropriated \$103 million for the school milk program. The administration for fiscal 1967 requested \$21 million or a reduction of \$82 million. Congress completed its action in fiscal 1967 and appropriated \$104 million for this program, which is \$1 million more than appropriated by the Congress for fiscal year 1966. Now, with respect to the school lunch program—

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. Yes.

Mr. QUIE. In order to bring the past history up to date, we should also point out while Congress appropriated in fiscal year 1966 \$103 million, the administration froze \$3 million of that and spent only \$100 million, evidently in anticipation of the cutback and the drastic cutback that they proposed. Now, when we did appropriate \$104 million and the President signed the bill, would you not expect, as I do, that the administration will use this amount of money for the school milk program and not again have a cutback or a freeze in funds?

Mr. HAGEN of California. In reply to the gentleman, I do not want to speculate on that. I hope they spend the whole amount, but with respect to the school lunch program, to continue, for fiscal year 1966, \$157 million was appropriated by the Congress. The administration in its budget request for fiscal year 1967 asked for \$138 million or a reduction of \$19 million. Congress this year in its appropriation appropriated, as I understand it, \$165,855,000 plus \$45 million transferred from section 32 funds to yield a total of \$210,855,000. So we have substantially increased the appropriation for the school lunch program.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman.

Mr. KASTENMEIER. Mr. Chairman, I would like to compliment the gentleman from California, the chairman of this subcommittee, for reporting out this bill. I think it is an excellent one. However, with relation to his colloquy with the gentleman from North Carolina [Mr. FOUNTAIN], I would like to take vigorous exception to the views expressed by Mr. Shulman of the Department of Agriculture that this program does not come under title VI of the Civil Rights Act of 1964. I realize there may be some differences of opinion on this, but I think that the cold language of the act itself makes it clear it does involve the school lunch program and, rather, the language Mr. Schulman relies on is merely language expressed on the floor of the other body by a Member of that body. Indeed this program, like any other program involving the donation of Federal funds and facilities, segregated or not, is under title VI.

Mr. HAGEN of California. My reply to the gentleman would be that I was not expressing my personal feelings but merely reading the legal opinion of the counsel of the Department of Agriculture. I would like to point out to the gentleman with respect to the school lunch program that the Federal Govern-

ment only contributes one-fifth of the cost on this program on an average, so they are somewhat marginally attractive compared to certain other Federal programs of grants. And, personally, I would hate to see these programs jeopardized on the floor of the House by adopting an amendment which would make the bill untenable from the standpoint of possible passage and which would deprive children of food otherwise through by action, however ill-conceived of a local school board.

Mr. Chairman, I believe there are, perhaps, better areas of imposing criteria of integration and so forth than in this area of the school milk program and the school lunch program, which reach to the most immediate demands of these children of every ethnic background for survival.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield further?

Mr. HAGEN of California. I yield further to the gentleman from Wisconsin.

Mr. KASTENMEIER. Of course, Mr. Chairman, the gentleman states the proposition which is true in almost any Federal program with reference to schools in the South, with reference to hospital facilities in the South, and any program of this type designed to be helpful to people generally, people who may or may not be subject to segregated facilities and denial of Federal funds is indeed a great problem. But the public policy stated by the Congress was to place the onus upon the local officials to comply with desegregation orders of the Court and to submit plans, consistent with Federal policy, in this matter.

Therefore, it is not our question, it is not a question for the Congress as to whether or not we deny funds to these children, but it is rather a question of the local officials in terms of compliance. It is up to them whether they want to comply and continue to receive Federal funds under the various Federal programs.

Mr. HAGEN of California. I would say to the gentleman from Wisconsin here that I feel we have to weigh the issue of principle against humanity, because the acceptance of these programs is marginal in some of these areas because of the required rather large local contribution. As I have previously said, on the average the Federal Government only contributes one-fifth of the cost. What an improper amendment might well do would be to remove this program out of large areas of the country where it is needed and the only people who would suffer would be the schoolchildren.

Mr. KASTENMEIER. Mr. Chairman, will the gentleman yield further?

Mr. HAGEN of California. I do not believe we shall use this bill to force integration through. Although the Secretary of Agriculture might be presently misinterpreting the import of the said title VI in these programs.

Mr. KASTENMEIER. Mr. Chairman, if the gentleman will yield further, that is the gentleman's personal opinion. I am not here to debate with the gentleman about that. What I am here for is to express reservations to the legal opin-



ion to which the gentleman referred of Mr. Shulman.

Mr. HAGEN of California. I would suggest to the gentleman from Wisconsin that there are probably ways and means whereby this interpretation could be tested in the courts and I believe that is the route that should be followed.

Mr. KASTENMEIER. May I say further to the gentleman from California that I hope the Congress will not go back to the days when we had to deal in every piece of legislation with the so-called Powell amendment and on the so-called Powell amendment basis. That is what the Congress in 1964 obviously hoped to accomplish with reference to each bill passed dealing with civil rights to make it broadly applicable to Federal programs, so that the Congress would not have to deal with the so-called Powell amendment on each and every piece of legislation and with reference to each and every program.

That is why I do not actually believe such an amendment is necessary to this program or to any other program.

Mr. HAGEN of California. I would say to the gentleman from Wisconsin that the gentleman has pointed out a problem and I do not believe it can be properly resolved through an amendment to this bill. I feel that the proper way in which to proceed, if the school lunch program is going to be made a ploy in the integration struggle, that some group, properly constituted, should bring a court action and then you will be able to resolve the problem not only with respect to this program but with respect to others.

Mr. STALBAUM. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Wisconsin.

Mr. STALBAUM. Is it not true at the present time that a considerable amount of school lunch money is disbursed to needy children in southern schools which are not yet completely integrated, and that if we were to accept this requirement of section 6 in the school lunch program rather arbitrarily, in due time we would, in effect, deny a great many needy children access to the school lunch program?

Mr. HAGEN of California. I do not believe there is any question of that.

And, Mr. Chairman, if this were a total Federal grant, the practical issue might be one thing. But when the schools, locally, and the States, are contributing up to four-fifths of the cost of the program, one can see that this is a program which could be easily abandoned in large areas of the country.

Mr. KASTENMEIER. Would the gentleman yield further?

Mr. HAGEN of California. I yield to the gentleman.

Mr. KASTENMEIER. It is not a question of whether we accept anything at this point, it is a question of title VI of the 1964 civil rights law which is in full force and effect. It is not a question of whether they want to use it or not, it does apply to Federal programs—at least in my opinion it applies to this one.

Mr. HAGEN of California. I would say to the gentleman further—and he

may know more about this than I do. I do not believe that the counsel of the Secretary of Agriculture is the final arbitrator on the legal position of the Federal Government. I would seek, if I were the gentleman, an opinion from the Attorney General on this issue. I do not know whether that has been done or not.

Mr. KASTENMEIER. May I say to the gentleman, I just learned about this letter today. I intend to seek a letter from the Attorney General on this question.

Mr. HAGEN of California. I would highly recommend it.

Mr. KASTENMEIER. I thank the gentleman for yielding.

Mr. HAGEN of California. Mr. Chairman, I yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, I want to commend the gentleman for his work on this bill. I wish to point out further that we are not only talking about poor children being denied under this kind of amendment, but we are talking about the children of low income families being the ones who are denied these things because the children of the high income families can get their meals. The children of the low income families are denied this for something that the parents in the higher income families did. It seems to me this is a poor group of people to pick on and to penalize for this kind of conduct.

Mr. HAGEN of California. I agree with the gentleman.

Mr. SMITH of Iowa. Mr. Chairman, I further wish to say that I notice we are moving on here to a breakfast program which, after 20 years with the other program, I think is a good thing. However, I do want to mention that there are a number of schools that do not even have the lunch program. That includes the one here in the District of Columbia that does not have a lunch program. We have a lot of poor children in this District.

To those who say that this is just another Federal aid program, I say, "Certainly, it is another Federal aid program, it is a Federal aid to education program." What is wrong with helping our children get a decent meal? Because food and education are certainly interrelated. There is no better place to invest our money than in our children whom we will be depending upon for our leaders of this country in the future.

Mr. HAGEN of California. I agree with the gentleman. If we are going to have a Federal aid program, this is one of the best.

Mr. SMITH of Iowa. I thank the gentleman.

Mr. HAGEN of California. Mr. Chairman, I yield to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding to me again. I have an additional query for information only.

I appreciate again the way the gentleman and his subcommittee have brought out the various facets of this plan, because it is overt and it is right across the table.

But I wonder if the gentleman and his committee, in their wisdom, should not become worried in view of the population explosion and in view of the extension of this program, and the decrease of the surplus in our dairy products, that we might not reach a point where there may be a declining surplus and with the demands for this Federal subsidy, this increasing amount of milk, for example, might not pose a problem.

In spite of all our imports that we are bringing in, which I know our producing farmers are not very enthusiastic about, that because of all this we might not be able to furnish all this surplus food.

For instance, in my State we know that the number of dairy cows have been reduced. We have conducted a census on this in the last 6 years, throughout the principal dairy counties in the State, and particularly in my home county.

It is high time we did more to subsidize these producers of dairy products, in my opinion, as our surpluses decrease and stimulate them rather than increasing overseas imports into this country of dairy products—and I am thinking particularly of cheese—than it is that we arrange with these inter-community bond issues in competition with industrial procurement. Because all one needs to do is multiply out the cost of the per hundredweight of manufactured milk and grade A milk by the number of cows we are losing per annum. We are losing one of the biggest payrolls—to say nothing of the most nutritious product that we can give our children, the leaders of tomorrow.

Now, does the gentleman think we are coming to the point where these bar graphs will cross and we will have a deficit in these agricultural products?

Mr. HAGEN of California. I think these programs are extremely and the gentleman as a physician is in a position to be most qualified to appreciate their value—these programs have proved themselves as being more than a surplus disposal program and if we had no surplus at all, I think that these would be valuable programs.

They started out as farm surplus disposal programs but they are not that now. They have made a major contribution to our national health, I think the gentleman will agree.

Mr. HALL. I certainly do agree with the gentleman. I am talking simply about the question of supplies for the expanding programs in the future, in view of the decreased supplies that are becoming available for our population.

I think maybe we have a serious problem.

For example, if the chairman will continue to yield just one moment further, for another comment about the increased use of our land.

By increasing use of our land and by expansion of production by hydroponics, chemicals, fertilizers, irrigation, and what-not, we can increase the yield of our soil and, indeed, we can increase our dairy herd ratings, and so forth. But we cannot do this to the same degree that we can do it with wheat, corn, or feed programs, especially with our popula-



tion of farmers decreasing at an alarming annual rate.

Mr. HAGEN of California. With respect to your proposal to help the dairymen, I assure the gentleman we are going to listen to them in our committee.

Mr. HALL. I thank the gentleman. I think it is time, because this is one of the greatest industries our land has.

Mr. RESNICK. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from New York.

Mr. RESNICK. I am very happy to hear what our distinguished colleague from Missouri has had to say about the problems of the dairy industry. I am sure he will join with us in asking for direct payments so we can rescue the dairy industry. I speak of direct payments to the farmers. I am sure the gentleman will be pleased to join us in that.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Ohio.

Mr. HARSHA. A while ago I asked my good friend from California how some of the guidelines that were expected to be enacted for the pilot programs for feeding children breakfast were going to be followed. I just want to get the record abundantly clear as to what guidelines are going to be followed, and what part our friend downtown at the Department of Agriculture is going to have, and certainly what schools are going to receive the benefits of these pilot programs.

The reason I bring up that question is that I received a letter the other day from the Department of Agriculture asking me if I supported this legislation, and informing me that there had been five of these pilot projects tried in the State of Ohio. I inquired as to where they were and, strangely enough, all five of them are in an area represented by a Member of the other party, which I suppose is understandable, but part of them are in Appalachia, which is also understandable, but though I happen to represent a number of counties in Appalachia, yet none of the schools in my particular district were selected for this program.

But one project appears in the northern part of the State in what heretofore has been looked upon as a reasonably prosperous area. I just wonder how much we are going to be able to tie down our Department of Agriculture on this problem.

Mr. HAGEN of California. I would say that if I were overly partisan, or sensitive, you might cause me to lose my cool there.

In answer to your question, each State is going to receive some money under this program, whether it has a Republican Governor and two Republican Senators, and all the Congressmen are Republican or whether the opposite is true. Each State will get some money under this pilot program, and the disbursement of that money within the State will be determined by the State educational agency. No partisanship will be involved in this so far as I am concerned. I certainly hope there is none.

Mr. HARSHA. We will not be able to slip by.

Mr. HAGEN of California. Not according to my understanding.

Mr. HARSHA. Are there any other guidelines or rules that will be established to determine who in the State itself will make the ultimate decision as to what schools will be the recipient of this program?

Mr. HAGEN of California. On page 33 of the bill the following language appears:

In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist.

I may say to the gentleman that one of the most able members of our committee is the gentleman from Minnesota [Mr. QUIE], who is a member of your party, and I am certain that he would not permit us to approve a program which could be used for a partisan purpose.

Mr. HARSHA. I am sure the gentleman from Minnesota would endeavor to prohibit that, but lacking the number of duckets on the bond that are necessary, sometimes these get through the distinguished gentleman's objections, even one such as the very able gentleman from Minnesota.

But what part is our friend downtown, the Secretary of Agriculture, going to play in having control over the schools that are going to participate in this program?

Mr. HAGEN of California. To implement the specific lines of the statute, I suppose he is going to have to draw some regulations, but I am sure he could not draw a regulation that would say it would go into the area with a Democratic Congressman or into an area with a Republican Congressman. He is going to have to draw guidelines which will have universal application of need without reference to politics. I do not believe the gentleman need have concern about this.

Mr. HARSHA. Will it happen that in an area where we have Republicans, a Republican area, we may find the funds are depleted, or are there ample funds where there is to be a Member of the other party represented?

Mr. HAGEN of California. No. To answer the gentleman's question, these allocations are to be made one time to the States and then the decision in the State will be made according to the State agency on the criteria of need, which will be of general application.

Mr. HARSHA. Is the gentleman's understanding that politics will not be involved in this program in one way or another?

Mr. HAGEN of California. That is my understanding. I hope politics are not involved and are not permitted by our language.

Mr. STALBAUM. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Wisconsin.

Mr. STALBAUM. The only power the Secretary of Agriculture would have, on

the point raised by the gentleman from Ohio, would be somewhat of a veto power if they do not follow the criteria. There is nothing else I can find in the language of the law that would give him any power, but only if some State administrator refused to follow these basic guidelines. Then I am sure he has some power to say the law has not been enforced. But if they have picked out schools that are needy and they follow the general criteria of the bill, then, is it not the understanding of the gentleman in the well, they would have to follow that?

Mr. HAGEN of California. Yes. That is correct. He would establish the general criteria of need only.

Mr. STALBAUM. His only power would be if there was blatant disregard of the criteria?

Mr. HAGEN of California. Yes.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota, [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I yield myself such time as I may consume.

(Mr. QUIE asked and was given permission to revise and extend his remarks.)

Mr. QUIE. Mr. Chairman, the chairman of the subcommittee, the gentleman from California [Mr. HAGEN], explained the bill very well. I believe this is a good idea when the chairmen of the subcommittees do explain bills. It does not always happen in this House.

I believe we know by the excellent statement of the gentleman from California what the bill will cover. I just want to let you know how I feel, speaking for myself on the minority side. I support this bill. I support the special school milk program particularly. I believe this is one of the best programs we have. Milk is nature's most perfect food and especially for children. From what we can determine from the Department of Agriculture there is an adequate amount authorized for the special school milk program for these next 4 years. I also support the breakfast program as a pilot program. The \$7.5 million for the coming fiscal year is evidently more than the USDA expects to use. I understand they expect to use about \$6 million. Then \$10 million will be adequate for the second year.

The breakfast program will then come back to the Committee on Agriculture for us to look over and determine whether it would be wise to extend it or whether it needs amending.

It is limited to two groups of young people: to those who live in an area of poor economic conditions and to those who travel a long distance.

I believe, from the testimony, that we have seen this will fit into the programs in the schools pretty much the way the school lunch program has worked out in the past.

We are concerned about the means test. We are opposed to the use of a means test. However, to date in the schools they have provided lunches either at a low cost to all students or at no cost to poor students, but they worked it out in such a way that the students will



not be identified according to their means.

The testimony before the House from the Department of Agriculture was that the same plan will be used in these breakfast programs. The nonfood assistance will be used only in the areas where they need some special help in the purchase of equipment in order to operate a school lunch program.

About three-fourths of the children of the United States now are served by the school lunch program, but other children come from school districts which cannot afford to operate one because they do not have sufficient equipment and cannot afford to buy it. This will enable them to receive it.

Mr. Chairman, I believe this bill is worthy of the support of the House. I believe that the amendments we have adopted to the Senate version make it a much stronger and effective bill.

While I had reservations about the Senate version, I do not have those reservations about the House version.

The only note of alarm I have is the understanding that a letter has come from the acting General Counsel of the Department of Agriculture, that title VI of the Civil Rights Act shall not apply. How he ever construed this to be the case is beyond me. As I understand it, title VI of the Civil Rights Act will apply to all Federal programs and to all Federal money, whether it be a payment to a cotton farmer or to a corn farmer, or a payment of any kind to the schools. This is the way it ought to be enforced. If the purpose of the school lunch program is to feed children and therefore title IV of the Civil Rights Act does not apply or has been implied, then other educational acts, like title I of Public Law 89-10 would not be affected by title VI of the Civil Rights Act, since the purpose there is among other things, remedial education for disadvantaged children. If it is true that the Congress does not want the monies expended under the school lunch program, the school milk program, the breakfast program or the nonfood assistance program according to title VI of the Civil Rights Act, we ought to have an amendment offered and we ought to debate it, so that the people of the country could know that is the intent of the Congress. Until that time no loopholes should be permitted by administrative edict.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. RYAN. I agree completely with the gentleman. Title VI, in my opinion, clearly applies to all Federal programs, including the school lunch program and the programs contemplated under this bill.

I should like to point out that on December 2, 1963, the Deputy Attorney General now the Attorney General, Nicholas Katzenbach, said in a letter to the chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], that the school lunch program was included under title VI.

Mr. QUIE. I thank the gentleman.

Mr. Chairman, I now yield such time as she may consume to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, the hour is late. I shall speak briefly, because our excellent subcommittee chairman has given a complete and full description of this bill and what is in it.

I am in complete support of the bill.

I should like to point out again that when the bill was submitted to us by the administration it would have superseded the national school lunch program and the special school milk program with legislation which would have, as our report says, substantially reduced the scope of these programs and concentrated the activities in areas of economic distress.

At that time I am sure all congressional offices, as was true of mine, received much mail opposing this new approach to our school lunch and school milk programs from not only the people in the communities but also the school officials.

I would point out that in their wisdom the subcommittee, and eventually the full committee, placed in this bill a committee amendment which struck out all after the enacting clause of the original bill, H.R. 13361, and made an entirely new provision in lieu thereof. The committee amendment does not amend the National School Lunch Act in any respect. I want this spelled out clearly to the number of school people throughout all our States who have been concerned. It would permit the law to operate in the future exactly as it has in the past, at the level of appropriations determined upon by the Congress.

There have been some remarks made today about reservations on the part of several of our fellow Members concerning the two new areas in this program. One involves the setting up of a pilot program on an experimental basis for adding to our school lunch program a breakfast program in those areas where past experience has shown unusual needs. I believe the chairman of our subcommittee, the gentleman from California [Mr. HAGEN] was very honest with us when he said that we discussed this controversial matter for a number of weeks.

This is a controversial area not because we did not think there was a demonstrated need, but because we were not sure how this program would apply or how it could best be applied. That is why the committee in its wisdom decided to make this a pilot program. It is in order to be sure that we have good answers to some of the problems and some of the questions to which we presently have no answers. That is why I am supporting this bill, Mr. Chairman. It is because in this area it is merely a question of letting us see what we can do with this problem and trying to see if we can work out something where we know in extremely severely economically disadvantaged homes there are many children who go to school without breakfast.

Mr. Chairman, in conclusion I would like to say at the proper time I am going to offer an amendment. I might explain that this amendment was brought to my

attention just today. It was not offered in the committee, but it was brought to me by the gentleman from Nebraska [Mr. MARTIN]. He pointed out in this amendment that at no time have our overseas dependent schools been able to participate in our school lunch program. Here, of course, we are talking about 170,000 children, and this is one of the largest school districts that we could have, bigger than most in the entire United States of America. My amendment, Mr. Chairman, will make it possible for the Department of Defense, after consulting with the Secretary of Agriculture and the administrators of the National School Lunch Act to try to set up a program for our American children who as children of our overseas personnel are attending schools run by our Department of Defense so that they, too, may participate in this luncheon program.

Mr. Chairman, there are a great many families in this group who are of low income. They have a number of children, but the schools that we provide in the Department of Defense for this purpose have not been able to let them have the same advantages as the children here in the United States do in participating in school lunches.

Mr. HAGEN of California. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman.

Mr. HAGEN of California. I discussed this amendment with you and with the gentleman from Nebraska [Mr. MARTIN], and personally I have no objection to your amendment.

Mrs. MAY. I am delighted to hear that. I thank the gentleman and hope that the amendment will be accepted at the proper time. I am glad to have your support.

In conclusion, let me say that I do give wholehearted support to this bill and hope the House will support it.

Mr. HAGEN of California. Mr. Chairman, I yield such time as he may require to the gentleman from Tennessee [Mr. GRIDER].

(Mr. GRIDER asked and was given permission to revise and extend his remarks.)

Mr. GRIDER. Mr. Chairman, I wish to express my support for the Child Nutrition Act of 1966 to augment the national school lunch program. I am especially pleased by the proposed school breakfast program. If the widely held statement, "You can't teach a hungry child," has any validity at all then it must apply to the morning of the school-day as well as the afternoon.

Although there is no formal program of Federal assistance specifically aimed at school breakfast programs, there are several examples of local attempts to initiate them. Usually the only help provided by the Federal Government comes from federally donated surplus foods and some cash from the special milk program. A good example of these local programs may be seen in the case of the Grant Elementary School in Memphis, Tenn. The program was developed by the school's PTA and local financial support was supplemented by special milk reimbursement and USDA-donated



foods. The principal of the school, Mr. Frank J. Lewis, reported that with the aid of the breakfast program, the school had its best year of attendance and that as many as 114 schoolchildren who would otherwise have gone without breakfast participated in the program. He also stated that every youngster in the program showed marked improvement in one or more areas of concern. He said:

We found attendance of these children improved, behavior better, and they are now more alert and receptive. In addition, they are more prompt and are improving academically.

Examples such as this demonstrate how effective the proposed breakfast program could be. The need for such a program is clear. More and more mothers are working and often unavoidably must leave home before the child leaves for school in the morning. More and more children are traveling long distances to school, especially in rural areas where school consolidation is progressing rapidly. Finally, simple economic need often prevents the child from having a much needed breakfast. In short, I support the proposed program to meet this very clear need.

Mr. HALEY. Mr. Chairman, I rise in support of this legislation as it has been brought to us by the committee. I sincerely hope that amendments are not presented that will make it difficult for some of us to support this legislation as enthusiastically as I favor it at this time. I am especially pleased to see section 7 in this bill, which makes it possible for the State educational agencies to receive financial assistance in the administration of these programs. In the State of Florida last year nearly 1 million people received aid from these food consumer programs. One of the greatest blessings of America is our agricultural abundance. Because of the efficiency of the American farmer, there is no need for anyone in America to go hungry.

Now, Mr. Chairman, when we conceive of these new programs I know we can understand that the educational agencies which administer them should have a little money with which to take care of their extra costs.

So, Mr. Chairman, I want particularly to commend the committee for section 7 and for the entire bill.

Let me say again, it is my hope, if this bill remains substantially as it is, to continue to support it enthusiastically.

Mr. TRIMBLE. Mr. Chairman, I wholeheartedly support H.R. 13361. It is good legislation and means much to the children of America. They deserve it.

Mr. FRASER. Mr. Chairman, I want to endorse H.R. 13361, the Child Nutrition Act of 1966. I particularly applaud the extension of the special milk program and the committee's language in providing that this program is to be administered as nearly as possible as it was in fiscal year 1966. Legislative authority for the program was to expire at the end of this fiscal year. Appropriations authorized in H.R. 13361 are adequate to fund the extended program.

Since its inception in 1954, the special milk program has been of enormous ben-

efit to the children and the milk producers in every State. In Minnesota last year, 69.3 million half-pints of milk were consumed under the special milk program. In my district of Minneapolis, nearly 20,000 students a day drank milk under the program. The nutritional benefits are obvious.

Also obvious are the benefits to our dairy farmers. Milk consumed under the special milk program represents almost 3 percent of all nonfarm consumption of fluid whole milk. Thus it is an important stabilizing factor in an area of agriculture that is particularly vulnerable to marginal swings in production.

Mr. ANDERSON of Tennessee. Mr. Chairman, I rise in support of this very worthwhile legislation, and in behalf of my own district want to express appreciation to the chairman and the members of the Committee on Agriculture for the very excellent work they have done.

I note in particular the foresight of the committee as evidenced in section 12 whereby the Department of Agriculture is assigned authority to conduct and supervise all the Federal programs relating to food service for children.

According to the interpretation I have received, section 12 very clearly expresses the intent of Congress that this program be centrally administered under the Department of Agriculture. This is as it should be, because the Department over a period of 20 years has demonstrated its ability to competently carry out school food programs. The mutual responsibilities of the Department, the State educational agencies, and the local school authorities are thoroughly understood by all. The machinery is set up and it is working smoothly.

Mr. Chairman, the Committee on Agriculture has indeed been wise to clearly specify that the Department of Agriculture provide centralized administration of this—the largest food service program of its kind in the world. The committee has done an excellent job and I urge support of the bill in the form in which it has been brought before the House.

Mr. WALKER of New Mexico. Mr. Chairman, under section 4, the Secretary is authorized to initiate a 2-year pilot breakfast program in certain types of schools. Eligible schools would be those drawing attendance from areas in which poor economic conditions exist and also those schools were a substantial proportion of the children enrolled travel long distances.

There is no question but that thousands of children arrive at school hungry and this inevitably affects their span of attention and conduct. In rural areas, children frequently ride the bus for as much as an hour or more and then stand around and wait for school to start. These children leave home early and time often does not allow for adequate breakfast. They often must wait 6 hours for lunch. In urban areas, thousands of children from poor families—where the mother must leave for work long before the children leave for school—breakfast tends to be a neglected meal.

In determining the eligibility of "schools drawing attendance from areas

in which poor economic conditions exists," the Department is expected to follow much the same criteria as they have been under the National School Lunch Act. As a matter of fact this program will be run under the same administrative machinery and in much the same manner as the present school lunch program.

In cases of very severe need in the school, the Secretary may authorize financial assistance up to 80 percent of the operating costs of the program. In most situations, however, Federal assistance will be limited to the food supplies needed for the program with local sources defraying labor and other costs.

Following the pattern and experience with the type A lunch under the national school lunch program, the Secretary is authorized to prescribe nutritional standards that must be met. The basic strength of the lunch program has been that participating schools must agree to serve a combination of foods that improve a child's nutrition in order to receive Federal assistance. A great deal of research has gone into the question of what a child needs each day and from this came the type A meal pattern followed in the school lunch program. As part of its technical assistance efforts, the U.S. Department of Agriculture has developed menu planning and buying guides that are made available to the schools; but local school lunch officials do all their own day in, day out menu planning. They may serve any food that they want as long as the total meal meets established nutritional requirements. The same techniques and procedures will be followed under the pilot breakfast program.

The pilot breakfast program also carries the provision that:

Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation or other discrimination against any child shall be made by the school because of his inability to pay.

To the extent practicable, it is expected that children determined to be needy will pay a nominal or token price. Other children attending schools approved for a breakfast program may participate on a paying basis.

Mr. HELSTOSKI. Mr. Chairman, I rise in support of the legislation pending before the House which would provide for a program to encourage schools to provide lunches for school children on a regular basis.

At this time, when our economical position is at its highest, there are still school children who do not attend classes comforted by a full and adequate meal. Too many American children come to their classes every morning without having eaten an adequate breakfast. Some do not have breakfast at all and hungry children are in no position to take advantage of the teacher's power to instruct them.



The Child Nutrition Act would provide, in addition to other things, a school breakfast program as an important part of our national school lunch program. This legislation would authorize the Secretary of Agriculture to carry out a pilot program to assist States through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast feedings for schools in poor areas.

The legislation would provide for special food service programs for needy children in nonprofit institutions such as child day care centers, settlement houses, and summer camps. To assist the State school lunch agencies meet the cost of supervising these new programs, the act would appropriate funds to the agencies for the purpose of administering the provisions of this act.

Mr. Chairman, I believe that there is a great need for this type of program in many areas—especially in urban areas where there is a large segment of low-income families and numerous children, whose parents are unable to properly feed their children.

From the standpoint of education, we are not going to make much progress unless we provide healthy bodies in which we can develop healthy minds.

From the standpoint of health, we have long since passed the stage where we embark on an extended health program without first looking at the plight of our children who are the victims of malnutrition.

Hunger is the natural enemy of all mankind on earth. This natural enemy is also the enemy of many children in our own country. A child with insufficient food will grow up to adulthood in a state of malnutrition and, while in that state we cannot utilize his most ablest capabilities if this frail body had been in a healthy state.

Mr. Chairman, I ask again that all of us in this body, who have the power and responsibility to do so, study this act very thoroughly and see for ourselves if the legislation we have before us is not the weapon which we need so desperately to stamp out hunger among our school-children.

In the interest of child nutrition in general I believe that this legislation should be passed, without prolonged debate and without any dissenting votes.

Mr. EVANS of Colorado. Mr. Chairman, although the present National School Lunch Act carries authority for providing nonfood assistance, this section has not been funded for many years since the language is general and does not lend itself to concentrating funds in those specific schools that most need help in initiating or expanding a food service. For this reason, section 5 of this bill is designed to spell out the intent of Congress in this respect.

There are 9 million children who, for one reason or another, have no access to a meal at school. Many rural and urban schools built years ago have no food service facilities. In many of these schools most of the children enrolled are in families with very low income. The local tax base of these school districts and areas is limited and the many needs of the community are such that

funds are inadequate to build or provide food service facilities.

Section 5 provides a means to assist State educational agencies in providing assistance to schools in this situation. Applicant schools will be required to justify their need for assistance on a project basis and to submit a detailed description of the equipment to be acquired and their proposals for its use in meeting the nutritional needs of children. In addition, State or local sources must bear one-fourth of the cost of equipment or facilities financed under this authority.

Careful, prudent administration of this section will be required to assure its full effectiveness but it may well be one of the most important provisions in this bill to help bring lunches to those children to whom they are not now available.

Mr. ROONEY of Pennsylvania. Mr. Chairman, some Congressmen may well have their doubts as to why we need to get into a breakfast program. They do not question the lunch program in any way because this type of food service is clearly needed. But breakfast and dinner are supposed to be family meals and a family responsibility. By making breakfast available are we subtly further loosening the family ties and undermining the family unit?

I do not believe so. I believe we are simply facing up to a fact of life. There are millions of working mothers throughout the country. There is no reversing this situation. Many, many of these mothers must leave for work before their children leave for school. An organized sit-down family breakfast at 6 or 6:30 a.m. is, I would guess, a rarity these days, particularly in urban areas.

In rural areas, where school consolidation is progressing rapidly, the logistics of the bus routing frequently requires that groups of children are dropped off at the school well before the actual start of the school day so that the bus can move on and pick up other groups. The distances traveled by many children are increasing. With the best will in the world, even mothers in rural areas have difficulty coping with an organized family breakfast.

In both situations, it is a long time until lunch. Some children react to hunger with apathy, others with restlessness. The teacher who stands up in front of these children is the real judge of what a good breakfast can do for them. An elementary school in one of our States started a breakfast program last winter and several teachers put their reactions on paper:

Since the breakfast program, I have noticed a change in the attitudes of pupils participating. The pupils have shown an increase in height and weight as well as great improvement in subject matter areas. A change of social relationships has developed and they show a willingness for wanting to do their best work.

The attention span is longer, and they seem less inclined to move around and disturb others.

I am very happy to say that the pupils from my room, who eat breakfast in the Lunch Room have shown tremendous development in all areas. They appear to be happy and their daily attendance has improved.

The second question that seems to have arisen is that of who may participate. If a school has a breakfast program under this bill, that breakfast will be open to all children attending the school. Those who can pay, will pay. It is our hope that even some of the needy children will be able to afford a token payment.

You will recall that the National School Lunch Act requires that the needy child who gets a free or reduced-price lunch is not to be identified or set apart from his classmates. The same provision will govern the breakfast program. In this context, a breakfast program only for needy children would make no sense at all.

Mr. UDALL. Mr. Chairman, the provisions for strengthening and augmenting the school lunch program today in H.R. 13361 are good, sound, and necessary if we are to provide a comprehensive, coordinated program to improve child nutrition in this country. We have come a long way under the national school lunch program and this Child Nutrition Act of 1966 is intended to put us within reach of a goal that we have long sought and accepted as only reasonable in a country as rich as this one in agricultural resources and as expert in meeting and solving problems.

Under section 4 of H.R. 13361, provision is made for a 2-year pilot breakfast program in schools drawing attendance from children of low-income families and for schools where a substantial proportion of the children travel long distances. I want to stress here that this new activity is to be initiated on a short-term, pilot basis. This is the approach that in the long run will result in sound legislative authority and effective program operations.

There are thousands of children who arrive at school hungry for a variety of reasons. Section 4 is intended to meet two of these reasons head on. In rural areas, children frequently ride a bus for an hour or more to get to school and then wait around in the schoolyard for an extended period waiting for the bell to ring. Even if time had permitted them to have a breakfast at home, it may be 5 to 6 hours before they have lunch.

In urban areas, there are thousands of children in families where the mother must leave for work long before the children leave for school. An organized family breakfast is rare and breakfast tends to be the neglected meal.

The importance of breakfast and other efforts to improve child nutrition are stated forthrightly in a publication issued jointly by the Office of Education and the Office of Economic Opportunity, "Education: An Answer to Poverty." This publication states:

Hungry children are nonlearning children. Scientific studies have shown conclusively that the process of learning virtually ends when a human being becomes uncomfortably hungry. When a child appears at school in the morning having had little or no breakfast, he might just well have stayed at home. The teacher's effort is wasted. The curriculum, the long hours of professional preparation, the value of textbooks and teaching aids are lost upon him. Similarly, a child



without lunch loses most of the value of a school afternoon. A hungry child not only injures himself, but his discomfort may subtly disturb the teachings of a whole class.

The breakfast program proposed under H.R. 13361 is based on the experience and approaches followed in the national school lunch program. Nutritional standards are now being developed by the nutritional experts of the U.S. Department of Agriculture—not just for purposes of this bill but because of increasing interest on the part of many schools as to the best combinations of foods for a breakfast to meet the needs of children.

The program under consideration today will be available to all children in schools selected by the State educational agency for participation. Those who can afford to pay will be expected to do so. The Federal funds made available will be used to help meet the cost of underwriting the breakfast for those who can afford only a token payment or who cannot afford to pay even a few cents.

In the selection of schools, the State educational agencies will follow generally what they are now doing in regard to special assistance under the school lunch program.

In situations of very severe need, the Secretary is authorized to provide up to 80 percent of the operating costs of the program. In most cases, however, the Federal assistance will be limited to providing the food needed for the breakfast. As in the national school lunch program, State and local sources will defray the costs of labor and overhead.

Although I have outlined only the provisions of the breakfast program, I believe every phase of H.R. 13361 warrants our support.

Mr. BENNETT. Mr. Chairman, not all Americans are fortunate enough to choose what and when they eat, and many young people today lack a basic nutritional diet, which hampers their growth to maturity. I am happy to support the objectives of the Child Nutrition Act of 1966, for this legislation strikes at one of the most important problems facing our Nation. If this program is enacted, I strongly urge that citrus products be included in the program. I have already presented this suggestion to the House Agriculture Committee, and I want to emphasize this point today in this debate.

Milk is the prime component of this worthwhile program, which is as it should be, due to the fact that milk is the best source of calcium, a nutrient needed for building strong bones in young bodies. But compared with milk, orange juice has 2 times as much carbohydrates, 5 times as much iron, 40 percent more vitamin A, 275 percent more thiamine, 9 times as much niacin, and 630 percent more vitamin C. All these nutrients are also vital to the growth processes of the child.

Citrus products are the main source of vitamin C, and the connection between vitamin C and the prevention of infection, probably is the chief reason that nutritionists in this country recommend higher intakes of citrus juices. A deficiency of vitamin C carries with it the

tendency to infections, a hazard to many young people.

In talking with Dr. Glen McDonald, of the Chronic Diseases Division of the Public Health Service, he stated that vitamin C is one of the most important nutrients the body must have. Unlike other vitamins, vitamin C cannot be stored, and must be taken on a daily basis. The children to which this legislation is directed are in the low income level, at which the level of consumption of citrus products is understandably low.

My State of Florida is the source of 70 percent of the Nation's citrus products, and our citrus production is expected to double in the next 5 years, thus insuring an adequate supply of this important food. It is undisputed that few, if any, other foods hold the vitamin content of citrus, and I think all American children should have the opportunity to have the advantage of vitamin-filled citrus products in their diets. I am hopeful that the Secretary of Agriculture will make citrus products a major part of the program.

Mr. STRATTON. Mr. Chairman, I am very happy to rise in strong support of the pending legislation. Last winter when the budget message came to the Congress I was appalled to see that the very popular school milk and school hot lunch programs had been drastically cut back. As a spokesman of an important dairy area I knew the blow this recommendation, if carried out, would deal to upstate New York dairymen. I knew too the harm that would be done to so many of our school children. The people in my district, by their wires and letters to me, also strongly opposed the President's budget recommendation.

Accordingly, Mr. Chairman, I introduced legislation on March 9, 1966, H.R. 13439, to prevent the cut the President recommended and to supply legislative authority for maintaining the school milk program at its current level. My bill was to be known of the children's special milk act of 1966. I testified in favor of this legislation before the Committee on Agriculture. I also testified in support of a school milk program continued without damaging cuts before the Agricultural Appropriations Subcommittee.

I was delighted when the agricultural appropriations bill for 1967 continued the school milk program at the same high level as I had recommended.

And I am delighted today, Mr. Chairman, that the substance of my bill, H.R. 13439, has now been incorporated as section 3 of this bill, H.R. 13361. This legislation will protect our schoolchildren. It will protect our dairy farmers. And the two new pilot programs authorized here for schoolchildren will also be of great benefit, I believe, to the future of these young Americans.

I am proud to see this legislation favorably reported from the committee. I am proud to have been a co-sponsor of the basic substance of this bill. I hope it will be overwhelmingly approved by this House.

Mr. GILBERT. Mr. Chairman, I sup-

port and endorse H.R. 13361, to make further strides in improving nutrition among the schoolchildren of our country.

There is no one who questions or doubts that good nutrition is basic to the learning process of our search and drive for excellence in education. The first essential is sound nutrition. A hungry child is not an eager learner. He may be listless and apathetic in the classroom, or he may be edgy and disruptive of discipline. No one is more aware of this than our teachers and our school officials.

For 20 years our local schools have made good use of the national school lunch program. Here is a program that commands nationwide respect and support. It does an essential job and does it well. The school lunch program and the special milk program, which affect the health and welfare of millions of schoolchildren, are, in my opinion, two of the most valuable and needed federally subsidized programs. I have strongly opposed the proposed budget cut in the milk program for fiscal 1967. We must not curtail this program which has proved to be one that has rendered great value for the dollar spent. It has been one of our most effective means of reaching children of poverty and of insuring them a more balanced diet. In my State of New York 5,438 schools use the program, which benefits between 1.6 and 1.7 million children. Families of the lowest incomes—who most often have the largest number of children in school—are the very ones who will be hurt the most if the present milk program is cut back.

Mr. Chairman, I am pleased the special milk program will be continued for another 4 years. This program has strengthened our child nutrition efforts by making available fresh milk at a price children can afford to pay, and it is now available to 19 out of 20 children in school.

I am also pleased that the national school lunch program will continue as it has been operating, and that the bill before us will extend the school lunch program to preschool youngsters who are enrolled in activities run by the school system. This is an important provision in view of the increased emphasis being placed on reaching younger children. The Headstart program of the antipov-erty program, for instance, has benefited hundreds of thousands of deprived preschool children. So this provision of the bill before us, like the Headstart program, is very important when we consider that one of the best avenues open to us to break the cycle of poverty is by first dealing with the socially and economically deprived preschool youngster.

The bill we are considering will provide food service equipment to initiate or expand school food service in areas with a high proportion of needy children. A major problem in initiating or expanding food service in needy schools has been the lack of funds for food preparation equipment. In many areas where children are most in need of food service at school, it has not been available because local resources are inadequate to finance the necessary equipment.



I welcome the bill's provision for a 2-year pilot breakfast program for needy schoolchildren and children who must travel long distances. The breakfasts will be served without cost or at a reduced cost only to children whom local school authorities determine are unable to pay the full cost. This service has seen an outstanding job done over the scattered throughout the country on the initiative of local school officials who found that all too many children of low-income families arrive at school hungry. I support the aims of this pilot breakfast program and I believe a national program is certainly worth a try.

Mr. Chairman, for the first time, assistance is provided to State educational agencies to meet the costs of undertaking this new drive to improve child nutrition. The hardest part of the job is yet before these agencies—to reach those children who most need improved nutrition.

The Child Nutrition Act places responsibility for our total national effort in this respect in the hands of the U.S. Department of Agriculture. We have seen an outstanding job done over the years in developing a sound cooperative relationship with State educational agencies and our school systems in the administration of the national school lunch and the special milk programs. These programs are frequently cited as examples of the best in intergovernmental relationships that spur local initiative and operate with a minimum of problems and friction.

Mr. Chairman, I support the aims of H.R. 13361 to provide better nutrition to every schoolchild, with particular emphasis on the needy. We must take advantage of this opportunity to assure good nutrition for our schoolchildren.

Mrs. MINK. Mr. Chairman, on several occasions this year, I have expressed my fervent hope that this Congress would not reduce the important school lunch and special milk programs which have been of such inestimable benefit to children all over America. I was dismayed to hear that budget cuts in "nonessential" areas could conceivably affect federally initiated and sponsored programs whose effect in improving the nutrition of our children is important not only in the present but far into the future with their long-range health benefits.

It is therefore with a profound sense of gratitude that I today express my support of the Child Nutrition Act of 1966 any my appreciation for the vision of Chairman COOLEY and the Committee on Agriculture for reporting out this bill, H.R. 13361, which not only continues the school lunch and special milk programs, but adds Federal aid in other areas to increase the opportunities for the children of America to have nutritious meals at low cost.

When we learn that there are still 9 million children who have no food service in their schools, with approximately a million of them coming from low-income families, we cannot help realizing that our task for the future is not to reduce our commitment to child nutrition but

to expand and improve these programs just as much as we possibly can. The Child Nutrition Act will help to meet a pressing national need, and I sincerely hope that we will look to the welfare of our children, our most precious asset for a better future, in passing this needed legislation.

The Child Nutrition Act will extend the special milk program, with a scale of increasing appropriations, through fiscal 1970. It permits the school lunch program to operate in full force, and one of its significant innovations is the authorization of funds for a school breakfast program for needy children who come to school hungry and for children who must travel a long way to school. Educators have testified to the lack of attentiveness and alertness on the part of children who begin the schoolday with empty stomachs, and I believe implicitly that the school breakfast program will be one that all of us will be proud to have supported.

Another vital need to be met by H.R. 13361 is the financial assistance to be provided for schools which do not have adequate food service facilities. We may tend to forget that many of our neediest children are those who cannot participate in the lunch and milk programs for the very basic reason that the schools they attend are in low-income districts and cannot afford to install minimal kitchen facilities. I cannot overemphasize my belief that this nonfood assistance program will contribute manifold benefits not only in the health but also in the educational achievement of the students in such schools.

I urge the acceptance of the Child Nutrition Act of 1966 both in the interest of the children who will benefit and in the national interest. We all stand to gain from these programs along with the students who will be the direct beneficiaries. Let us look to the future today by insuring enactment of this important legislation.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope and urge this House will promptly and overwhelmingly approve this measure before us, H.R. 13361, the Child Nutrition Act of 1966.

The basic purpose of this bill is to safeguard the health and well-being of this Nation's children and to encourage the domestic consumption of agricultural and other foods, by assisting the various States through grants-in-aid and other means, to more effectively meet the nutritional needs of our children.

Mr. Chairman, all recognized medical authorities are in agreement on the research finding that "a poor diet is a root cause of disease." The testimony of recognized experts warns us that, under the harassments of our modern complex living conditions and because of the large number of impoverished families a dangerously large number of our schoolchildren are not experiencing the benefits of a proper balanced diet and, therefore, are more susceptible to the attacks of childhood diseases. Certainly this is a danger and a condition that we must meet and overcome and this bill will do it.

In summary, its provisions will continue the invaluable special milk program in our schools for an additional 3 years while also establishing a new school breakfast program and assistance for the installation of food preparation and serving facilities to certain schools in areas which do not now have this essential equipment.

These additional programs, together with supplementing the universally commended special school milk and lunch programs, in concern for the improved health and alertness of our schoolchildren are certainly conducive to the general welfare and development of this country. The foods to be provided to our children under these programs will be guaranteed to contain nutrients essential for good health; they will give the schoolchild a healthy start each morning for a wholesome day of the fullest accomplishment and instruct each individual in the formation of proper diet habits. It is axiomatic that a healthy child is a happy child and that a well-nourished child learns better than an undernourished child.

In brief this bill represents a most prudent investment in the future of America through the encouragement of a healthy, well-nourished, wholesome American youth in the best educational environment we can devise. Let us approve this patriotic investment without further delay.

#### GENERAL LEAVE TO EXTEND

Mr. HAGEN of California. Mr. Chairman, I ask unanimous consent that all Members may have leave to revise and extend their remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 13361, the Child Nutrition Act of 1966.

As a measure to safeguard the health and well-being of the Nation's children by means of proper and adequate food, the bill on the floor is one of the most significant pieces of legislation to emerge in this session of the 89th Congress. By assisting States through grants-in-aid and other means, H.R. 13361 provides the vehicle which will meet more effectively the special nutritional needs of our children. The close relationship between food and good nutrition, on the one hand, and the capacity of children to develop and learn, on the other, has been demonstrated in a convincing manner under the highly successful national school lunch program. The enactment of this bill would be the logical sequel to the two existing programs, the national school lunch program and the special school milk program, both of which have been highly acclaimed for their valuable contributions to the health and well-being of boys and girls in elementary and secondary schools.

H.R. 13361 would permit the National School Lunch Act to operate in the fu-



ture exactly as it has in the past. However, the measure specifically provides for the continuation for an additional 3 years the special milk program, through which milk at reduced prices is made available to children in schools, summer camps, and similar institutions.

In addition, the measure provides for two new programs. The first, the school breakfast program, would be carried out in substantially the same manner that the schools are now carrying out the lunch and milk programs. The new program will be the means of getting hungry children off to a good nutritional start for the day. It will be carried out as a pilot program for 2 years.

The second new program, the so-called nonfood assistance program, would provide schools in low-income areas with funds to acquire equipment for the purpose of establishing, maintaining, and expanding school food service. This program will provide, on a cost-sharing basis with the State and local sources, the necessary school food service in areas where children are most in need of help.

Mr. Chairman, the future of America lies in the hands of our children. It is important that we provide for their proper nutrition today to help their ability to learn, to grow, and to become healthy, effective adults. This bill contains such provisions. I urge unanimous support for H.R. 13361.

Mr. HAGEN of California. Mr. Chairman, I yield such time as he may require to the gentleman from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Chairman, I am particularly interested in section 7 of H.R. 13361 which provides authority for assistance to State educational agencies in meeting the additional costs they will incur if they are to do a proper job in this comprehensive program to improve child nutrition.

I recognize that some people may well question the need for such assistance. The national school lunch program has done very well over the past 20 years without a penny of Federal funds going for State administration and how can we be sure that Federal funds will not simply be substituted for State funds?

I would suggest on this score that the State school lunch staffs have done a tremendous job over the years—understaffed and underfinanced as they are. We are now asking them to undertake the toughest job of all—to reach those hardest to reach—to reach those children who have been bypassed in the growth of the program. We are asking these State people to analyze local situations to determine which schools are eligible for special assistance under the lunch program; to analyze the needs of a school or school system for equipment assistance and to review proposals for the procurement of equipment and to help determine the need for and help set up pilot breakfast programs.

These are schools, too, that will need extra attention, extra expert assistance in every phase of their operations from budgeting to storage space to menu planning. These are schools that will have to trim costs at every corner be-

cause these are schools where the children in attendance cannot afford that extra nickel or extra dime per meal that can give the school lunch manager a little elbow room. Nevertheless, these are also schools that will be expected to meet the same meal-type requirements as those in the affluent suburbs.

It is clear to me that the State staffs will need and are entitled to some help in meeting the personnel and other costs that will be involved in these activities if we are to demand of them the supervisory and technical capabilities required to meet this new challenge.

One of the great blessings of American agriculture is the consumer food programs which in my State of Florida last year made possible the feeding of 740,000 schoolchildren, 29,000 persons in institutions, and nearly 92,000 other needy persons. In addition 22,500 persons were recipients of disaster relief food.

In the breakdown of the consumer food programs in Florida which follows this statement, I am sure that we can see the new programs of H.R. 13361 will add to the burden of the State educational agencies in meeting the additional costs they will incur. It is most proper, I think, to provide for financial assistance to these agencies as we have done in this bill:

*Florida consumer food programs, fiscal year 1965, summary*

NATIONAL SCHOOL LUNCH PROGRAM	
Number of schools-----	1,627
Number of children-----	643,659
Total lunches served (millions)-----	114.1
Free lunches (percent)-----	8.9
Local food purchases-----	\$25,665,000
Federal payments-----	\$4,718,000
SPECIAL MILK PROGRAM	
Number of outlets-----	1,589
Number of half-pints served (millions)-----	58.3
Federal expenditures-----	\$1,441,000

COMMODITY DISTRIBUTION PROGRAM	
Quantity and cost of foods distributed:	
Schools (secs. 32 and 416) (20,911,000 pounds)-----	\$6,982,000
Schools (sec. 6) (12,034,000 pounds)-----	2,286,000
Institutions (3,226,000 pounds)-----	572,000
Needy persons (23,520,000 pounds)-----	4,688,000
Total (59,691,000 pounds)-----	14,528,000
Number of participants:	Persons
Schools (all)-----	740,329
Institutions-----	29,169
Needy persons-----	91,947
Total-----	861,445

A total of 22,513 disaster relief recipients received 9,087 pounds of food.

(Mr. MATTHEWS asked and was given permission to revise and extend his remarks.)

Mr. HAGEN of California. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

(Mr. RYAN asked and was given permission to revise and extend his remarks.)

Mr. RYAN. Mr. Chairman, I am glad once again to have the opportunity to support legislation to provide food and milk to the young people of this Nation,

through their schools and through their summer camps, at the time in their lives and in their days when it will most help them to develop and learn.

Throughout my years in Congress, I have been an unyielding supporter of both the school milk and the school lunch programs. On February 10 of this year, when the funding of these programs was threatened, I insisted that the country could continue to fund these programs fully, whatever the cost of our commitments elsewhere in the world.

The present bill is a sound extension of these programs. Besides extending the special milk program for another 4 years, the bill would add a new school breakfast program and a nonfood assistance program. Teachers have often told me about children who could not concentrate on studies in the morning because their stomachs were empty. Hopefully, the school breakfast program will make it possible for communities to help children to start each schoolday with a satisfied stomach and a fresh mind.

However, I am concerned about the subject which has been discussed this afternoon, and that is the question of the application of title VI to the programs under this bill and to the school lunch program.

Mr. Chairman, despite the clear intent of the Congress and the clear wording of Federal statutes, the Department of Agriculture, I am afraid, will twist this bill by some strange reasoning so as to exempt it from title VI. This is what happened under the school lunch program.

Mr. Chairman, I was startled to learn that the Department of Agriculture has not applied title VI to the school lunch program and has issued regulations which exempt the school lunch program from title VI and which permit segregated public schools to receive assistance under the program—7 CFR 15.3. This was confirmed in a letter to me which was referred to earlier this afternoon, a letter from the Acting General Counsel of the Agriculture Department.

Indeed, the Department of Agriculture has distributed a memorandum to State school officers which says that:

For the present the school lunch program will continue to operate in segregated and nonsegregated schools.

Mr. Chairman, I should like to read that language again because I think it is very important for us to see how the law has been flaunted by the Department. The memorandum by the Department of Agriculture to State school officials says, and I quote:

The present school lunch program will continue to operate in segregated and nonsegregated schools.

Mr. Chairman, I agree with the gentleman from Minnesota [Mr. QUAIL] who says that this is clearly in violation of the intent of the Congress.

Mr. Chairman, the explanation for these regulations offered by the Department of Agriculture is totally untenable. So long as children of every race have equal access to the school lunches, the Department contends, there is no discrimination. That logic, of course, is the



reasoning of Plessy against Ferguson. It maintains that, so long as the food programs are equal, they may be separate. That is the logic which for three quarters of a century permitted separate schools, separate lunch counters, separate facilities.

Mr. Chairman, this Nation is now dedicated to the proposition that all men are created equal and endowed with certain inalienable rights. Congress has finally declared that separate facilities cannot be equal. In the Civil Rights Act of 1964 it determined to end discrimination in public programs and in public places.

We have made it illegal for there to be separate eating places for whites and Negroes. How then can a department of this Federal Government contend that Congress would permit a Federal program to serve children in segregated eating places?

Mr. Chairman, the School Lunch Act—and the amendments which we discuss today—are concerned with more than filling empty stomachs. They are concerned with “the health and well being of the Nation’s children.” Those words come from the declaration of policy in the first School Lunch Act. The same policy is engraved into the act which we vote on today. Moreover, the Child Nutrition Act points to the “demonstrated relationship between food and good nutrition and the capacity of children to develop and learn.”

Mr. Chairman, it was the historic holding of the Supreme Court in *Brown* against Board of Education a dozen years ago that segregated schools are injurious to both the health and education of the Negro child. To quote the language of the Court:

To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.

It went on to point out that:

Segregation with the sanction of law, therefore, has a tendency to retard the educational and mental development of Negro children.

It concluded:

Separate educational facilities are inherently unequal.

Mr. Chairman, it is time that the Department of Agriculture began to apply title VI to the School Lunch Act. The history of title VI makes it clear that, as other methods of enforcement of desegregation fail, the school lunch program should begin to be used toward that end. The history and language of that title also make it clear that Federal funds should not be sent into school districts where the officials flout the law of the land with respect to the desegregation of schools, and where they make no effort to comply with desegregation orders.

When we passed the historic Civil Rights Act of 1964, it was hoped that title IV of that act would be enough to desegregate the Nation’s schools. But those hopes have not been justified. In the majority of school districts throughout the South, neither title IV, nor the threat of the cutoff of Federal funds for education have proved sufficient to end segregation.

The figures on the degree of desegregation are striking. On May 24, 1966, the *Christian Science Monitor* reported the estimated statistics of school desegregation for the year starting in September 1965. The Office of Education estimated, according to the report, that only 7.5 percent of the Negro pupils in the 11 Southern States are in school with whites. The Southern Regional Council in Atlanta put the figure even lower. It maintained that only 5.2 percent of the South’s Negro pupils are in desegregated classes.

When the Justice Department came before Congress this spring with a request for a new Civil Rights Act, one of the measures which it said that it needed was a stronger school desegregation provision. The Attorney General had found that title IV was simply not strong enough to do the job.

Mr. Chairman, section 602 of the Civil Rights Act of 1964 authorizes “each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty,” to effectuate compliance with the nondiscrimination requirement of section 601 “by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement.”

There can be absolutely no question that the school lunch program was intended to be covered by this title. In a letter of December 2, 1963, to the distinguished chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER], Attorney General Katzenbach, who was then Deputy Attorney General, included a list of programs which may involve Federal financial assistance and which, insofar as they do involve such assistance to any program or activity, would be covered by title VI. The list includes the school lunch program.

On March 30, 1964, Vice President HUMPHREY, who was then a Senator and one of the managers of the bill, stated during the Senate debate on the Civil Rights Act of 1964, that:

In the administration of the school lunch program title VI would also authorize a requirement that the schools receiving school lunch money not engage in racial discrimination.

Mr. Chairman, the Department of Agriculture has explained its legal position in a letter to me dated August 31, 1966, by Edward M. Shulman, Acting General Counsel of the Department. Mr. Shulman maintains that:

The legislative history of title VI evidences a clear intent that, since the objective of the national school lunch program is to feed school children, the title should not be applied so as to deny participation in the program to schools in segregated school systems.

As evidence, he cites a speech by Senator PASTORE, one of the managers of the bill.

But as one of the first advocates of title VI, I am appalled to find that the

Agriculture Department would give so much weight to Senator PASTORE’s observations. His comments were sandwiched in between statements by Senator LONG of Louisiana who completely disagreed with Senator PASTORE’s interpretation. To quote Senator LONG:

Mr. President, the Senator from Rhode Island has made a speech based on a view in direct conflict with the plain language of this bill.

A few minutes later, Senator YARBOROUGH lined up with Senator LONG’s interpretation of the bill. And still later in the debate that afternoon, Senator JAVITS said that, as he understood the title:

Where the objective of the statute is to feed children rather than to educate children, those funds will not be cut off if there is good faith compliance with the other parts of the law with relation to desegregation.

Thus Senator JAVITS, too, understood that the title required “good faith compliance with other parts of the law.” Obviously, the deliberate obstruction of the Supreme Court desegregation decision in the Southern States is not “good faith compliance.”

It is clear, therefore, that on the day when Senator PASTORE presented his view of title VI, totally different and contradictory views were presented by other Members of that body, some of whom favored the bill and some of whom opposed it.

The only discussion of the school lunch program and title VI on the floor of the House indicates that the Members of this body, in voting for the title, believed that it would apply to school lunches. The following colloquy between Congressman POFF and Congressman LINDSAY took place on February 7, 1964:

Mr. POFF. It is my understanding that title IV is intended to deal only with public schools. May I inquire with reference to title VI? If school lunch benefits or school milk benefits are extended to private schools, could the Department of Agriculture cut off such assistance to private schools under title VI?

Mr. LINDSAY. As I understood it, the gentleman’s question was, are those cases where Federal funds are supplied for school milk to private schools covered? The answer is “yes.”

Mr. Chairman, the language of title VI is plain. It makes no exception for the school lunch program. The intent of the Members of this body is clear: the school lunch program was expected to be covered by title VI. The legislative history in the other body may, I concede, be a bit cloudy due to the comment of Senator PASTORE, but the Senate debate, too, makes it clear that most of the Members of that body expected the school lunch program to be covered by title VI.

Mr. Chairman, practically every program reached by title VI concerns an area of need to human beings. If non-compliance with the law makes it necessary to cut off funds, the responsibility rests with the local officials who defy the Constitution and the statutes passed by the Congress.

I have been a consistent supporter of Aid for Dependent Children, and I am greatly disturbed when the discrimina-



tory policies of local officials make it necessary to cut off or suspend welfare aid which may be of critical importance to its recipients. I am a firm supporter of medicare and I am greatly disturbed to discover that some local officials have made it necessary to withhold medicare benefits from some communities.

However, the elimination of segregation throughout this country is a national goal which can bow before no other. It is the responsibility of the administrators of Federal programs to use those programs to help to achieve desegregation. In the field of school desegregation, where other Federal efforts appear to have failed in large measure, there can be no excuse for the continued failure of the administration to use the school lunch program—and the programs which we will vote on this afternoon to end discrimination.

Mr. Chairman, the importance of the school lunch program as a lever for school desegregation has been underlined by the action of the Alabama Senate which last night approved Governor Wallace's plan to prohibit the State's public schools from desegregating voluntarily under the guidelines established by the Office of Education. If the bill passes the Alabama House, as is expected, and is signed by the Governor, then the funds dispersed by the Office of Education will no longer serve as a lever to persuade Alabama schools to desegregate. In that situation it would seem clear that the administration should do what it can to use the funds dispersed under the school lunch program to achieve desegregation in Alabama.

Therefore, today I have sent a letter to the Vice President, urging him to take immediate steps to assure that programs administered by the Agriculture Department are utilized to achieve the objectives of the Civil Rights Act of 1964. I have asked him to convene a meeting of representatives of the Justice Department, the Department of Agriculture, and the Department of Health, Education, and Welfare to explore ways in which the programs administered by the Department of Agriculture can best be utilized to achieve desegregation of the Nation's schools. I have also called upon the Attorney General to take immediate action.

Mr. Chairman, it is time that the Agriculture Department ended a policy which, in effect, makes the Federal Government a catering service for segregated eating facilities. It is time that the Agriculture Department recognized that a program designed to promote the "health and well-being of the Nation's children" cannot successfully operate through segregated schools—for a segregated climate is inherently unhealthy. It is time that the administration recognized that a program designed to improve education by improving nutrition, cannot be divorced from the other educational policies of the Government.

Mr. RYAN. Mr. Chairman, in short I believe it is high time that the Secretary of the Department of Agriculture enforced the law as we wrote it.

Mr. HAGEN of California. Mr. Chairman, I yield 4 minutes to the

gentleman from New York [Mr. RESNICK].

(Mr. RESNICK asked and was given permission to revise and extend his remarks.)

Mr. RESNICK. Mr. Chairman, as one of the cosponsors of this piece of legislation, I rise in wholehearted support of it.

Mr. Chairman, I believe that this legislation can be held as landmark legislation. I believe especially that the breakfast program deserves our commendation and our attention.

Mr. Chairman, I was particularly impressed by the studies done in one children's program wherein it was pointed out that when the children came to school on Monday they ate approximately twice as much for breakfast as they did on Friday. This was true because they were so starved over the weekend that they required this extra food at the beginning of the week.

I think I can add in parenthesis, that it is a very sad commentary that this, in the richest Nation in the world, can have this happen. That young children who through no fault of their own, and who do not have a choice of parents or where they are going to live, have to go to school hungry.

I think this bill will go a long way in bringing quality into education to the children because, as we have heard many times this afternoon, a child who is hungry finds it very difficult to study.

As a Member who has been very interested in the struggle for human rights and civil rights, I feel that this act and the money spent under this act certainly come under title VI.

I disagree with my friend from New York that it is a question of separate but equal. That we, here in this bill, cannot attempt to straighten out all the wrongs in all the school systems throughout the United States. We are interested in this bill not with schools but we are interested in schoolchildren. We want to see that these children get fed and get fed properly. I think this is our overwhelming desire in this particular legislation.

I believe that there is other legislation that we have passed this session and there will be other legislation in Congresses to come.

Mr. CONYERS. Mr. Chairman, I am very pleased to concur with my distinguished colleague from New York. As a matter of fact, I would like to keep peace among my friends from New York in the delegation.

I think that there is no question, and it has been expressed by members of the committee and by members of the judiciary who were here when title VI of the 1964 Civil Rights Act was debated and passed, that the school lunch program, of course, comes under the provisions of that civil rights bill.

I concur with all that has been said in commendation to this committee for attempting to extend such a worthwhile program. I would especially like to commend Chairman COOLEY and Subcommittee Chairman HARLAN HAGEN for their sincere efforts in supporting this program. In fact, I would remind my col-

leagues that we are living in a time of the greatest affluence of any civilization in history. I think that our programs to spread and expand this program are certainly such as to receive the commendations from people in every walk of life.

In the ghettos and in the poverty-stricken rural areas, it seems to me we are addressing a question, my colleagues, which in some way can answer some of the disturbances that we have found to be going on. I particularly support the nonfood assistance program, and would like to elaborate upon its importance in the Child Nutrition Act.

Despite the expansion of the school lunch program in the last 20 years, there are large numbers of children who do not receive a complete lunch at school each day—and many of these children are those who need it the most. Those 9 million youngsters, a significant proportion of whom are in the needy category attend schools where lunch facilities are not available. Frequently, the schools which have been unable to have a lunch program are small ones, located in rural areas. The same problem exists in the older schools in the economically distressed areas of our cities where limited financial resources make it impossible to provide a lunch service. In contrast, the suburban areas have been able to finance lunch rooms in their schools.

This lack of food service facilities is not a problem which exists in only a few States or in only a few areas. Rather, it is an extensive problem and steps need to be taken to help provide food service in these schools where the local communities need this help.

Since the National School Lunch Program is locally oriented, the responsibility for providing food service equipment is likewise a local one. However, many of the economically distressed areas are not financially able to bear the whole of this burden. Further, educators have found that "You can't teach a hungry child"—and the noticeable improvement in attendance, attention span and academic achievements when a lunch service is initiated attest to the validity of this principle.

It is for these reasons, therefore, that I firmly believe that every schoolchild regardless of his parent's income or his neighborhood should have the opportunity to have an adequate nutritious school lunch and strongly support section 5—to assist the schools in low-income areas to acquire food service equipment.

This section does not completely relieve the local community of either its financial responsibility or its social obligations for providing nutritious lunches to its children. To the contrary, it contemplates the supplementation of the Federal funds because one-fourth of the cost of any new food service equipment must be borne locally. Also involved is the determination of local needs, the development of a project type application, and justification of need for such assistance by the community.

Mr. HAGEN of California. Mr. Chairman, while I still have this extra time, I



wish to commend the members of this committee who have worked on this and other programs—for example, the gentlewoman from Washington [Mrs. MAY], who was a most valuable member of the Committee on Agriculture and of this Congress; the gentleman from New York [Mr. RESNICK], who is a relative freshman and who has expressed great interest in the economic welfare not only of the poor and handicapped around the country but also in the welfare of his farmer constituents.

I have already mentioned the gentleman from Minnesota [Mr. QUIE] and the gentleman from Illinois [Mr. FINDLEY], who has also contributed a great deal to the program. There are others—I cannot name all of them.

I hope we may get an almost unanimous vote on the passage of this legislation. I think it is one of the major pieces of legislation in this session.

Mr. Chairman, I have no further requests for time.

Mr. ARENDS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-nine members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 263]

Abbitt	Hagan, Ga.	Powell
Abernethy	Halleck	Rees
Addabbo	Hansen, Wash.	Reid, Ill.
Anderson, Ill.	Harvey, Ind.	Reid, N.Y.
Ashbrook	Hays	Reinecke
Ashmore	Hébert	Rhodes, Ariz.
Baring	Herlong	Rivers, S.C.
Battin	Horton	Roberts
Beckworth	Hosmer	Robison
Bell	Howard	Rogers, Colo.
Berry	Jones, Mo.	Rogers, Tex.
Boiling	Jones, N.C.	Rostenkowski
Bolton	Kelly	Roush
Bow	Keogh	Satterfield
Burleson	King, N.Y.	St Germain
Burton, Utah	Kluczynski	Saylor
Callaway	Kornegay	Schisler
Carter	Krebs	Schmidhauser
Celler	Laird	Scott
Clark	Landrum	Senner
Cohelan	Leggett	Sickles
Corbett	Long, La.	Stephens
Corman	Long, Md.	Sweeney
Cunningham	McClory	Taylor
Curtis	McEwen	Teague, Calif.
Dague	McMillan	Teague, Tex.
Davis, Ga.	Machen	Thomas
Dawson	Mackay	Thompson, Tex.
Diggs	Mackie	Toil
Dulski	Madden	Tunney
Duncan, Oreg.	Martin, Ala.	Tupper
Edmondson	Martin, Mass.	Tuten
Edwards, La.	Martin, Nebr.	Ullman
Evins, Tenn.	Mathias	Utt
Fallon	Mink	Van Deerlin
Fascell	Minshall	Waggonner
Fino	Moeller	Walker, Miss.
Fisher	Morrison	Watkins
Flynt	Mosher	Watts
Frelinghuysen	Multer	Whalley
Friedel	Murphy, Ill.	Williams
Fulton, Tenn.	Murray	Willis
Gallagher	O'Brien	Wilson, Bob
Garmatz	O'Konski	Wilson,
Gettys	Oison, Minn.	Charles H.
Gilligan	O'Neill, Ga.	Wyatt
Green, Oreg.	O'Neill, Mass.	Yates
Griffiths	Pool	Zablocki

Accordingly, the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having assumed the chair, Mr. OLSEN of Montana, Chairman of the Committee of the Whole House on the State of the

Union reported that that Committee having had under consideration the bill, H.R. 13361, and finding itself without a quorum, he had directed the roll to be called when 292 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Child Nutrition Act of 1966".*

#### DECLARATION OF PURPOSE

SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

#### SPECIAL MILK PROGRAM AUTHORIZATION

SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purpose of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

#### SCHOOL BREAKFAST PROGRAM AUTHORIZATION

SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

#### APPORTIONMENT TO STATES

(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion \$2,600,000 equally among the States other than Guam, the Virgin Islands, and American Samoa, and \$45,000 equally among Guam, the Virgin Islands, and American Samoa, and (2) apportion the remainder among the States in ac-

cordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (e). Such food costs many include, in addition to the purchase price, the cost of processing, distributing, transporting, storing and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

#### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(e) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### NONPROFIT PRIVATE SCHOOLS

(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

#### NONFOOD ASSISTANCE PROGRAM AUTHORIZATION

SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with facilities, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such facilities shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the National School Lunch Act, as amended, and in the event the fa-



cilities are no longer so used, that part of such facilities financed with Federal funds, or the residual value thereof, shall revert to the United States.

#### APPORTIONMENTS TO STATES

(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any facilities financed under this subsection shall be borne by State or local funds.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment and facilities needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### NONPROFIT PRIVATE SCHOOLS

(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

#### PAYMENTS TO STATES

SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### STATE ADMINISTRATIVE EXPENSES

SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

#### UTILIZATION OF FOODS

SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of

the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

#### NONPROFIT PROGRAMS

SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

#### REGULATIONS

SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

#### PROHIBITIONS

SEC. 11. (a) In carrying out the provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

#### CENTRALIZATION OF ADMINISTRATION

SEC. 12. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

#### PRESCHOOL PROGRAMS

SEC. 13. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.

#### MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 15. For the purposes of this Act—

(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

(d) "School" means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

(e) "Secretary" means the Secretary of Agriculture.

#### ACCOUNTS AND RECORDS

SEC. 16. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be neces-

sary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

Mr. HAGEN of California (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

#### AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIE: On page 35, lines 8 and 9, strike out the words "facilities, other than land and buildings," and insert in lieu thereof the word "equipment".

On page 35, line 12, strike out the word "facilities" and insert in lieu thereof the word "equipment".

On page 35, line 15, strike out the words "the facilities are" and insert in lieu thereof the words "such equipment is".

On page 35, line 16, strike out the word "facilities" and insert in lieu thereof the word "equipment".

Mr. QUIE. Mr. Chairman, I would like to explain to the membership what this amendment does.

Mr. Chairman, it makes a change exactly like we did in the Committee on Education and Labor when we considered this legislation.

Since the administration needs the equipment, we decided to write the word "equipment" in rather than the words "facilities other than buildings and land".

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. HAGEN of California. Mr. Chairman, I understand that this amendment merely clarifies the intent of the committee and I accept the amendment.

Mr. QUIE. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE].

The amendment was agreed to.

#### AMENDMENT OFFERED BY MRS. MAY

Mrs. MAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MAY: On page 39, after line 25, insert:

#### "OVERSEAS DEPENDENT SCHOOLS

"SEC. 15. (a) There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to extend to children attending overseas dependent schools administered by the Department of Defense the benefits of this Act and of the National School Lunch Act, as amended.

"(b) The Secretary, after appropriate consultation with the Secretary of Defense, is authorized to make such rules and regulations as he deems necessary to carry out the purposes of this section."

On page 40, lines 2 and 21, strike out "SEC. 15." and "SEC. 16." and insert respectively "SEC. 16" and "SEC. 17".

Mrs. MAY. Mr. Chairman, during general debate I spoke about the 170,000 of our children who are overseas.



Mr. HAGEN of California. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman.

Mr. HAGEN of California. In the interest of time, I wish to say that this is not an amendment which was considered in our committee. I understand it is the subject of a bill which is before another standing committee of the House. However, as far as I personally am concerned, I am willing to accept the amendment.

Mrs. MAY. I thank the gentleman very much.

Mr. HAGEN of California. Mr. Chairman, I would like to ask one clarifying question. As I understand your amendment to implement this extension program, there would have to be separate appropriations?

Mrs. MAY. Yes, that is correct. Up until now they have not had the right to the benefits of our school lunch program. I refer to our American children overseas.

Mr. HAGEN of California. Mr. Chairman, on the basis of that understanding, I accept the amendment.

AMENDMENT OFFERED BY MR. PUCINSKI

Mr. PUCINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUCINSKI: On page 32, line 20, insert after "Virgin Islands" the following: "Trust Territory of the Pacific Islands."

On page 32, line 21, insert after "Virgin Islands" the following: "Trust Territory of the Pacific Islands."

On page 40, line 5, insert after "Virgin Islands" the following: "Trust Territory of the Pacific Islands."

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. PUCINSKI. Mr. Chairman, I shall not take my full 5 minutes—

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield for a moment before you proceed further?

I would like to say that we accept your amendment.

Mr. PUCINSKI. I would like the RECORD to show that this amendment was offered by our colleague from Hawaii [Mrs. MINK] who could not be here today. She is a member of my subcommittee, the Select Committee on Education of the House Committee on Education and Labor. We have reported out a bill similar to the one that is before us here. Our bill was an amendment to the school lunch program, which comes under the jurisdiction of the House Committee on Education and Labor. The pilot programs in this bill are incorporated as a new part of this Nutrition Act. Mrs. MINK had requested that this amendment be offered today so that the youngsters living in the Trust Territories, which include the Caroline Islands, the Marshall Islands, and the Marianas, with the exception of Guam, which had been mandated to the United States after World War II, would come within the provisions of this act.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Minnesota.

Mr. QUIE. I just want to say to my colleague from Illinois that we will accept the amendment on this side.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Chairman, probably more consideration should be given to this amendment. We are operating the Trust Territories under a mandate from the United Nations, and I am afraid that we are treading in fields in which we really do not have authority.

Mr. PUCINSKI. Mr. Chairman, I might point out to the House that the subject has been before my committee. We had testimony on this amendment. This amendment has been approved by the agencies involved, and it is an amendment that will indeed not only serve a good purpose, but is one that is needed, just as this whole bill is presently needed.

I am grateful to the majority and minority for accepting the amendment.

Mr. DENTON. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Indiana.

Mr. DENTON. I am very much in favor of the amendment. I am a member of the Appropriations Committee that will deal with the subject of the amendment, and I do not know why the islands to which the amendment refers should be treated any differently from any others.

Mr. PUCINSKI. I thank the gentleman.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 32, line 7, strike out all the provisions authorizing the establishment of a school breakfast program, including lines 7 through 24 on page 32, lines 1 through 24 on page 33, and lines 1 through 20 on page 34, and renumber the subsequent sections accordingly.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. FINDLEY. Mr. Chairman, the effect of this amendment would be to strike from the bill the authorization for the breakfast feeding program. This bill provides a total of \$17.5 million during the next 2 years.

The school milk and the school lunch programs are successful and well-accepted programs which I support, but we have an entirely untried and untested program before us with this proposed school breakfast plan.

There may well be some young people in the country who are not now getting an adequate breakfast. But I raise the question as to whether this is the fault of the Federal Government. I call attention to the fact that the food stamp program is a Federal program, which makes available food to needy families on a wide basis, almost a nationwide basis now. We still have the program under which food is distributed directly, apart from the food stamp program.

There is no reason I can think of why any children need be denied a good breakfast for want of food. In addition to the entitlement in most areas of ex-

treme need under the food stamp program for free food, needy families have access to free food under the direct distribution program.

Then we have the community action program under the poverty program which involves some child feeding entitlement. Of course, there are a multitude of public assistance programs, both at State and local levels, which would make food available to needy families.

This bill, of course, provides only a pilot program, but we have seen from experience that pilot programs tend to become permanent and to grow.

This is a good time to ask ourselves whether the Federal Government really wants to embark upon a nationwide Federal program to provide breakfast for schoolchildren. This could become quite a project.

We might be interested to note that this authorization provides for equipment for such cafeterias. As the demand for breakfast grows, as it certainly would once the schoolbus route gets scheduled on that basis, we are going to be buying an awful lot of equipment and a lot of food to serve through that facility.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Chairman, at the outset I want to make it clear that I strongly support the purpose of this bill but as a member of the committee, I would like to briefly turn to the hearings on this bill. The record shows that the so-called pilot breakfast program was not very thoroughly considered, at least during the hearings before the full committee.

I believe the Secretary himself had at least some doubts about how the program would operate. Certainly there is no clear-cut guideline in the bill itself or in the language of the report about how to operate a successful school breakfast program. In the first place, it talks about distances in rural areas, and then its talks about the working mothers in the urban areas who have to go to work and not give their children breakfast.

I believe we all agree that children have to be fed—maybe by the Federal Government. The next step could be school dinners, and the next step could be school dormitories with rights of visitation over the weekend by the parents.

I believe we have gone a long way from the intent of the program.

Certainly we all support the school lunch program and the school milk program. I wonder if we all know what the effect of the school breakfast program will be? We did not know in the committee. I have the full hearings here.

I support the gentleman from Illinois because the question of how this new breakfast program will operate in rural areas where children travel long distances by bus after leaving their homes very early in the morning simply has not been answered. No one seems to know whether these children will have to get up even earlier to get to school in time for breakfast or whether there will be a need for additional bus service, or what.



Mr. FINDLEY. Mr. Chairman, I do not believe either of us—and I am sure I speak for the gentleman from Kansas—are without concern for needy children and for hungry children particularly. I do call attention to the fact that we do have a multitude of feeding programs to provide food to these needy families. I might also point out that the Johnson administration asked for a 10-percent cut in the school lunch program and an 80-percent cut in the school milk program for fiscal year 1967.

I also raise the question whether or not the heads of educational institutions have been asking for this type of service. There is doubt in the minds of some I have heard from as to whether it is a practical idea and whether it may create more problems than it would possibly solve.

I do suggest that we support this amendment and take it out of the legislation and perhaps give this more study.

Mr. RESNICK. Mr. Chairman, I rise in opposition to the amendment.

I have been in the House a very short period of time, but during that short period of time I have been here I have heard my distinguished colleague from Illinois and fellow committee members rise up to speak against highway beautification, against helping the old folks, and against helping just about anything or anybody. But I never thought that he would stand up to start on the children who need food.

It may well be true that we have a multiplicity of programs today and that all children should be fed, but the sad fact is that today the evidence shows all children are not being fed.

If we are going to err in this House, I would prefer to err on the side of justice and charity.

The pilot program might waste a few dollars. That is conceivable. I have yet to see any program, whether in Government or in business, that does not waste a few dollars.

Are we to say, in the face of overwhelming evidence that young children are coming to school Monday morning so hungry that they eat twice as much as they do on Friday for breakfast, that this is not needed? It seems to me the evidence is ample and clear.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I am happy to yield to the gentleman from Kansas.

Mr. DOLE. As I pointed out when I believe the gentleman was present, when we had the hearings, the thing which bothers me and which bothers the gentleman from Illinois is the lack of any of the evidence the gentleman speaks about as to the Monday morning hunger. I am certain that may exist, if the children have not been fed on Friday or Saturday.

I do not believe the gentleman from Illinois or the gentleman from Kansas quarrel with the lofty objective stated. We merely feel it has not had adequate consideration in our committee for the launching of an entirely new program without adequate consideration.

Mr. RESNICK. If I understood the gentleman from Illinois correctly—and the gentleman joined in his remarks—

basically you want to cut this program out without giving it a chance. I say we should give it a chance. Let us see how it works. The worst that can happen is that some hungry children will get fed. You want this House to vote against hungry children. That is your position. That is exactly your position.

Mr. DOLE. Will the gentleman yield?

Mr. RESNICK. I decline to yield further.

As I say, I am unskilled in parliamentary procedure and oratory, but I believe I still understand English, and I believe I understand the gentleman's amendment, which would take out the breakfast feeding program. The only ones who would be affected and hurt by that would be the hungry children.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I am glad to yield to the gentleman from Illinois.

Mr. PUCINSKI. My subcommittee held hearings on this subject.

Would the gentleman agree that probably the most successful single program in this country has been the hot lunch program and the milk program, being served to children of America, both in public and parochial private schools?

It seems to me, when the gentleman talks about all the agencies capable of doing this, the agency which has proved most capable over the years has been the Department of Agriculture. That is what we would try to do in this pilot program. We would put it in the agency which has had the most experience, to save the most money for us and yet make the program work where it is needed.

There are children in this country who do not get adequate diets. If we talk to any school teacher in the poverty area, we learn it a rather futile effort on her part to try to teach a youngster in class all day when the youngster has not had breakfast.

This is a program for poor youngsters in poverty areas. This is not a program to spread out all over the country. There is ample evidence in many schools, where we are spending vast sums of Federal money in Federal aid in poverty areas, that the youngsters come into the classroom unable to keep up with the teacher simply because they have not had breakfast. It is not important why they did not have breakfast. The fact is they did not have breakfast.

We are spending a lot of money not doing the job as we should.

Mr. RESNICK. I thank my colleague.

Mr. SMITH of Virginia. Mr. Chairman, I rise in support of the amendment.

I shall not consume 5 minutes, Mr. Chairman, because I do not like repetitions. I did speak on this subject when the rule was under consideration.

I opposed this new program at that time, and I oppose it now. I believe it would be a grave mistake for us during a time when we are at war and having so many expenses, when we are so far behind on our budget, to launch upon new welfare programs.

That is just what this is doing. Everybody in this House I believe is pretty much in favor of the lunch program. However, you are now proceeding to load it down with a breakfast program. When

you get your foot in the door on that and these people who believe in the welfare state get it going good, then you are going to have a supper program. Then you are going to argue that we must not let the children go to bed hungry. Now, I have sympathy with the children, as all of us do, but there is a limit to what you can do. When you break this wagon down with all of the welfare programs you are going to load onto it—and I do not yield to the gentleman from Illinois at this moment because he and I differ very much on many things as to what is suitable and proper and appropriate for the Federal Government to do, but I think this is just getting out of hand. The program is new, it is half-baked, and there are no guidelines. How do you know whether a child has had breakfast or not when he comes in and applies? Nobody is going to mark him down if he has had two breakfasts before he got to school.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. FINDLEY. I wonder if the gentleman or anybody in this body can cite any educators who have asked for the establishment of a breakfast feeding program at the Federal level.

Mr. SMITH of Virginia. I do not know of anybody, but it is not necessary. If somebody comes in here and tells us about hungry children, whether they are hungry or not, it has a great appeal. I am trying to be sensible about these things. Some of these programs are good, but I do not think they should be jeopardized by loading the wagon down too much. Just as sure as you are sitting here, you will have a program to serve supper and then a program to put the children in barracks so that their parents will not have to bother about them at all after they beget them. And you will have all public nurses pretty soon in this program in the poverty bill. I do not think I am going to have enough time to yield to everyone, but I will sit here all evening in order to defeat this thing if I can get time enough. I yield first to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, earlier today I am sure the gentleman and I were not too far apart when we voted for a \$600 million cut in the foreign aid program. I think we have made cuts in many expenditures, but certainly you are not going to deny a very worthwhile project—

Mr. SMITH of Virginia. I did not yield for another speech. I know the gentleman's views. If you want to ask me a question, all right.

Mr. PUCINSKI. The answer to the gentleman is that there are educators who have asked for this bill.

Mr. SMITH of Virginia. I now yield to the gentleman from New York.

Mr. RYAN. Mr. Chairman, if the gentleman will yield to me so I may answer the gentleman from Illinois who asked whether there was any educator—

Mr. SMITH of Virginia. No, I will not yield for that.



Mr. RYAN. Who asked for this program, let me say that I know of a school, PS-165, which is in my own district, where an experimental breakfast program has been carried out very successfully. Prominent educators at Teacher's College at Columbia University have recommended this in order to help children in poor and deprived neighborhoods.

Mr. RESNICK. I would like to point out to the gentleman that this bill calls for \$17 million over 2 years, which amounts to 5 cents from each and every American. I do not think that is too big a price.

Mr. SMITH of Virginia. But it is a foot in the door, and that is what this program is. It is a foot in the door for a specialized program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The question was taken; and on a division (demanded by Mr. FINDLEY) there were—ayes 52, noes 95.

So the amendment was rejected.

#### AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 39, line 22, insert after "system" the following: ", or operated by nonprofit institutions or organizations and draw attendance from areas in which poor economic conditions exist".

Mr. HAGEN of California. Mr. Chairman, I rise to make a point of order against the amendment.

The CHAIRMAN. The gentleman from California will state his point of order.

Mr. HAGEN of California. Mr. Chairman, reluctantly I do this because I sympathize with the purpose of the gentleman from New York. However, I make the point of order that this amendment is not germane to the section sought to be amended.

Mr. Chairman, the entire thrust of this bill deals with programs administered by the public schools of the United States.

Mr. Chairman, the gentleman from New York offers an amendment, which if adopted, would extend these programs en masse into operations by nonprofit institutions or organizations.

Mr. Chairman, it has nothing to do with the substance of this bill, which is to implement programs administered by the public schools.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. RYAN. Yes, Mr. Chairman.

Mr. Chairman, I believe that the amendment which I have offered is quite relevant to section 13 which it would amend.

Mr. Chairman, section 13 provides that the Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

My amendment would extend that to

include preschool programs operated by nonprofit institutions or organizations which draw attendance from areas in which poor economic conditions exist.

In other words, Mr. Chairman, this would deal with those children enrolled in those Headstart programs which are not a part of the local school system.

Mr. Chairman, some 46 percent of the children enrolled in the Headstart programs today are without the local school system. The balance are in it.

In my opinion this is a fair amendment which, if adopted, would give the Secretary authority to include those children. The very purpose of this act under the declaration of policy is to safeguard the health and well-being of the Nation's children by providing nutrition for needy children.

I might also point out that other sections of the bill do cover nonprofit institutions. For instance, section 3 authorizes the special milk program for nonprofit institutions and section 9 specifically refers to food and milk service programs in schools and nonprofit institutions. This bill is clearly not restricted to school systems.

Mr. Chairman, all I ask is that we include nonprofit institutions and organizations operating in areas of concentrated poverty where preschool children most desperately need preparation for school. Project Headstart is operated both within and without local school systems. This widely acclaimed program, which operates in all 50 States plus Puerto Rico and Guam, is only partially affiliated with school systems. Of the 150,000 children it reached in fiscal year 1966, 69,000, or 46 percent, were in programs not affiliated with school systems; in fiscal year 1967, Headstart will reach 170,000 children, of which 78,000, or 46 percent, will not benefit from this act.

The importance of the food and milk programs to the children is inherent in the nature of Project Headstart itself. The Headstart programs are directed at helping children from families of low income or no income to adapt and adjust to the organization of school life. Needless to say, a sound nutritional program is necessary to provide such motivation. Since Project Headstart is both educational and directed at the needy, it fits precisely into the goals of this act as the Committee on Agriculture stated in its declaration of purpose. There is a "demonstrated relationship between food and good nutrition and the capacity of children to develop and learn." Thus, providing these children with a good nutritional base is prerequisite to providing them with a good educational base. I urge the chairman to overrule the point of order.

The CHAIRMAN (Mr. OLSEN of Montana). The Chair is ready to rule.

In the opinion of the Chair, section 13 on page 39 is confined to school feeding programs including preschool programs as part of these school systems. Therefore, the Chair sustains the point of order.

#### AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARSHA: On page 32, line 13, after the words "carry out" insert the words "on a nonpartisan basis".

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HARSHA].

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. HAGEN of California. Mr. Chairman, I want to say to the gentleman that I do not accept the implication that this would not be done on a nonpartisan basis. I accept the amendment.

Mr. HARSHA. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HARSHA].

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended. The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. OLSEN of Montana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13361) to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture, pursuant to the resolution, House Resolution 990, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the resolution, House Resolution 990, the Chair lays before the House the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, which the Clerk will report by title.

The Clerk read the title of the Senate bill.

Mr. HAGEN of California. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HAGEN of California moves to strike out all after the enacting clause of the bill, S. 3467, and insert in lieu thereof the provisions of the bill, H.R. 13361, as passed.



The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 13361, was laid on the table.

#### GENERAL LEAVE TO EXTEND

Mr. HAGEN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### SOLUTION OF LOWER RIO GRANDE SALINITY PROBLEM

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 977, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 977

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11880) to authorize conclusion of an agreement with Mexico for joint measures for solution of the Lower Rio Grande salinity problem. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 11880, it shall be in order in the House to take from the Speaker's table the bill S. 2747 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 11880 as passed by the House.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

(Mr. YOUNG asked and was given permission to revise and extend his remarks.)

Mr. YOUNG. Mr. Speaker, House Resolution 977 provides an open rule with 1 hour of general debate for consideration of H.R. 11880, a bill to authorize conclusion of an agreement with Mexico for joint measures for solution of the lower Rio Grande salinity problem. The resolution further provides that, after passage of H.R. 11880, it shall be in order to take S. 2747 from the Speaker's table, move to strike out all after the enacting clause and insert in lieu thereof the provisions of H.R. 11880 as passed by the House.

For several years, highly saline drainage from a Mexican irrigation project

has entered the Rio Grande above Mission, Tex., and above the points where water is diverted from the river for irrigation of about 580,000 acres in the lower Rio Grande Valley of Texas. During the periods of low flows this drainage made the river so saline that damage was caused to the valuable crops in the area. Emergency measures in the past have helped to remove the threat of severe damage. The International Boundary and Water Commission, United States and Mexico, now recommends a solution that will eliminate the problem permanently and completely.

Under the supervision of the Commission, Mexico would construct, operate, and maintain a canal or drain through Mexican territory to convey practically all waters from Mexico's El Morillo drain directly to the Gulf of Mexico. The waters would be diverted from the drain by a gated control structure and would flow by canal or drain southeasterly for a total distance of about 75 miles to discharge into the Gulf of Mexico.

Since it is estimated that at least half the benefits of the solution will accrue to the United States, the plan contemplates that this country pay half the cost of construction of the project, and half the cost of operation and maintenance. Of the cost allocated to the United States, H.R. 11880 provides that half would be paid by the local beneficiaries and half by the Federal Government. The local beneficiaries have expressed their willingness to assume one-half the costs allocated to the United States and they have already deposited \$300,000 in the U.S. Treasury toward covering their estimated share of the construction costs.

Mr. Speaker, I urge the adoption of House Resolution 977.

Mr. SMITH of California. Mr. Speaker, the purpose of the bill is to authorize Federal funds to be used to pay part of the costs of construction and maintenance of a drainage ditch which will remove from the lower Rio Grande River a saline discharge from a Mexican irrigation project which discharges into the river near Mission, Tex.

For several years this discharge has been damaging American crops which are below Mission, Tex. The drainage ditch will be built entirely in Mexico and will flow directly into the Gulf of Mexico.

It is estimated that at least one-half of the benefits of the removal of the discharge into the Rio Grande will accrue to the United States. The bill provides that one-half the cost and maintenance will be borne by the United States. Of this amount, one-half will be borne by local beneficiaries of the project, who have already deposited \$300,000 in the Treasury toward covering their estimated share of the construction costs.

The total construction costs are estimated at \$1,380,000, the yearly maintenance costs at \$40,000.

The bill provides that the authorization ceiling on the construction costs for the United States is \$690,000. The authorization ceiling on maintenance is \$20,000 annually.

There are no minority views; the bill has administration support.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

H.R. 11880

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled*, That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is authorized, notwithstanding any other provision of law and subject to the conditions provided in this Act, to conclude an agreement or agreements with the appropriate official or officials of the Government of the United Mexican States for the construction, operation, and maintenance by the United Mexican States under the supervision of the International Boundary and Water Commission, United States and Mexico, of a drainage conveyance canal through Mexican territory for the discharge of waters of El Morillo and other drains in the United Mexican States into the Gulf of Mexico in the manner, and having substantially the characteristics, described in said Commission's minute numbered 223, dated November 30, 1965. The agreement or agreements shall provide that the costs of construction, including costs of design and right-of-way, and the costs of operation and maintenance, shall be equally divided between the United Mexican States and the United States. Before concluding the agreement or agreements, the Secretary of State shall receive satisfactory assurances from private citizens or a responsible local group that they or it will pay to the United States Treasury one-half of the actual United States costs of such construction, including costs of design and right-of-way, and so long as such agreement or agreements remain in force, one-half of the actual costs of operation and maintenance allocated under such agreement or agreements to the United States.

Sec. 2. There is authorized to be appropriated to the Department of State for use of the United States Section, International Boundary and Water Commission, United States and Mexico, without fiscal limitation, such sums as may be necessary to defray costs that accrue to the United States under such agreement or agreements for the construction, operation, and maintenance of such drainage conveyance canal projects.

With the following committee amendments:

Page 2, beginning in line 17, strike out "so long as such agreement or agreements remain in force."

Page 2, line 20, immediately after the period insert the following:

"Payments to the United States Treasury under this section shall be covered into the Treasury as miscellaneous receipts."

Page 2, strike out line 21 and all that follows down through page 3, line 3, and insert in lieu thereof the following:

"SEC. 2. To defray costs that accrue to the United States under the agreement or agreements referred to in the first section of this



## TWENTY-SEVENTH ANNIVERSARY OF THE INVASION OF POLAND

(Mr. DANIELS (at the request of Mr. PATTEN) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIELS. Mr. Speaker, 26 years ago today at 6 a.m. Hitler's legions violated the Polish border in several places. Within a few days, Great Britain and France declared war upon the Third Reich and that terrible catastrophe known as World War II was set in motion.

As bad as the second war was for all the nations which were involved, there was for most nations a conclusion, and peace was finally restored. But for the people of Eastern Europe, VE-day merely meant exchanging Nazi masters for Communist ones.

The people of Poland, in particular, who had fought so hard to throw off the shackles forged by Nazi Germany have not yet had their freedom restored.

Yesterday, the Jersey Journal published a very excellent letter from one of the outstanding leaders of the Polish-American community in northern New Jersey. Mr. Edward S. Warlikowski is the highly respected president of the Jersey City, N.J., chapter of the Polish American Congress and I think the words of this eloquent representative of Polonia ought to be brought to the attention of all Members of this House.

Mr. Speaker, I read Mr. Warlikowski's letter into the RECORD.

The letter follows:

DEAR EDITOR: Sept. 1, 1966 will mark the 27th anniversary of the brutal invasion of Poland by the Nazi forces. We, Polish-Americans, celebrate this important day in Polish history with strong pride in our Polish citizenry, but also with deep sorrow at the misfortune of the Polish homeland.

We become somewhat concerned and weary with the cynics and the skeptics who fail to see and who fail to understand that the basic ingredient of human beings is dignity.

Yes, the Polish people today are being suppressed against their will by a Communist conspiracy. A conspiracy that was imposed upon the people. In their blood and in their heart flows the great spirit of freedom and no despot, no dictator, no matter how strong, no matter how powerful, how determined, can suppress the will of the people for freedom very long. This has been demonstrated time and again in history.

This anniversary is significant since Poland is also celebrating the millennium of her Christianity this year. Again, the Polish spirit rises to give attention to its inherent principles.

It is understandable that the Communist leaders of Poland are today doing their utmost to play down two significant facts—Poland's Christianity and its unbroken adherence to the culture and civilization of the West rather than that of the East, as represented by Moscow. The Communists' refusal this year to allow His Eminence Cardinal Wyszyński's trip to the United States and our clergy's visit to Poland and the recent protest against the United States memorial stamp honoring the millennium are best indications of that fact.

It is equally significant that despite these desperate efforts the people of Poland are remarkably demonstrating daily as clearly as could be that they are mindful and proud of their ties with the West and with Christianity, and that they are determined that

those ties be maintained and strengthened. It is for us therefore to see to it that we will help the Poles who have shown an indomitable spirit in this endeavor and that we do recognize their desires and wishes in this respect.

EDWARD S. WARLIKOWSKI,  
President, Jersey City Chapter of the  
Polish-American Congress.

## PRAYER OF SISTER PROVIDENCIA OF THE COLLEGE OF GREAT FALLS

(Mr. OLSEN of Montana (at the request of Mr. PATTEN) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN of Montana. Mr. Speaker, one of the great ladies of the Nation, Sister Providencia of Great Falls, Mont., presented an invocation at the Western States Democratic Conference in Glacier National Park August 26. Sister Providencia, president of the College of Great Falls, is a respected educator whose concern for her students and college is only overshadowed by her genuine concern for all humanity. The following prayer, offered by this wise and holy lady, was an inspiration to all of us at the conference. I wish to share it with my friends in the House at this time:

INVOCATION GIVEN BY SISTER PROVIDENCIA, AUGUST 26TH, 1966, AT GLACIER NATIONAL PARK, MONT.

O God, bless this bounty which we are sharing together tonight, and let us raise our eyes and our hearts to the grandeur of Your creation all about us here at Many Glacier. Let us look down to our troubles as from Your majestic and serene heights, and grant us a triangular perspective to the problems that overwhelm our times and our people. If You will but give us the grace to look up to You Our Maker, as well as out to our neighbors, You will help us restore the balance which hatred is destroying in our land. In much the same way as a string taut with tension can be drawn up at the center and the ends brought closer together, so may we with Your grace as the Center power draw rich to the poor, black to the white, strong to the weak, ignorant to the learned and the triangular perspective bring about a humble, wiser, more noble unity that will crown our continent and match the grandeur of the homeland which You have given us. Amen.

## IRS VERSUS TEACHERS TAX EXEMPTION

(Mr. PEPPER (at the request of Mr. PATTEN) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, today I am introducing a bill to provide that teachers may deduct from their Federal income tax obligation, the expenses incurred in taking courses or pursuing programs of educational travel which will improve their competency in their profession. This would apply to teachers and college members alike.

Since 1958 the Treasury Department has had a policy that such deductions are allowed. However, the Internal Revenue Service on July 7, 1966, issued proposed regulations which, if enforced, will seriously curtail this practice. In

my opinion there is no possible excuse for Internal Revenue Service to adopt such a regressive attitude.

We have recently enacted far-reaching Federal aid to education, bills that potentially can insure quality education to every child and youth of this Nation. However, for these new Federal programs to be truly effective it is necessary that teachers be encouraged, whether on their own initiative or by school board direction, to take courses not only in subject matter but courses designed to aid their understanding of the children they teach, and the new methods which are being developed by local schools all over the country.

Mr. Speaker, this bill, which is identical to that of our able and distinguished colleague the gentleman from California [Mr. KING], is therefore not only an aid to teachers but just as truly an aid to children's education.

I hope that action on this measure may be forthcoming this session, before Internal Revenue Service proceeds, as I understand it proposes to do next January, to enforce its proposed regulations.

## CENTRALIZATION OF ADMINISTRATION

(Mr. GONZALEZ (at the request of Mr. PATTEN) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, I would like particularly to call to the attention of my colleagues, the committee's firm statement in the report on H.R. 13361 on the need for centralization of administration of child feeding programs. I thoroughly concur with what they had to say in this respect:

During the past several years, other agencies of the Federal Government, using their own authorities and funds, have moved into the child school food service area. It is true that they have moved to meet a need that the Department of Agriculture was inhibited from meeting for lack of clear-cut authority to do so. This has introduced a considerable amount of confusion at the State and local level because of varying requirements and regulations.

The committee believes it is now time to eliminate this confusion and place full authority in the hands of the Department of Agriculture for the conduct and supervision of Federal programs to assist schools in providing food service programs for children.

They have done an excellent job not only with the national school lunch and special milk programs but with the commodity donation and food stamp programs as well. These are all related programs and require the type of coordinated approach and operation the Department of Agriculture has demonstrated it can deliver. The Department has developed the necessary lines of administration and communication through the appropriate State agencies to participating local jurisdictions. They have also developed a wide range of technical aids and techniques for use by State and local agencies in educating children and low-income families on the essentials of good nutrition.

We are in no way criticizing the efforts of these other agencies. There is still a great deal to be done in the way of improving child nutrition in this country and those other agencies were simply



responding to a need. Now that we are moving to broaden the authority of the Department of Agriculture in child food service, we want to make it as clear as possible that this agency and its cooperating State and local authorities bear the full responsibility for closing existing gaps.

(Mr. GONZALEZ (at the request of Mr. PATTEN) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. GONZALEZ' remarks will appear hereafter in the Appendix.]

### ETHICS VERSUS PROFITS

(Mr. VIVIAN (at the request of Mr. PATTEN) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VIVIAN. Mr. Speaker, a Member of the other body, the Honorable PHILIP HART, of Michigan, on September 28, 1965, introduced in the other body bill S. 2568, known as the Medical Restraint of Trade Act. On June 1, 1966, I introduced bill H.R. 15396, a companion bill, in this body. Much interest has been expressed in this legislation by constituents, trade groups, and Members of both bodies.

In order that all concerned will have the opportunity to learn more of the events and problems which led to the introduction of these bills, I have unanimous consent that two articles on this legislation be printed at this point in the RECORD. The first, entitled "Uneasy Balance—Ethics Versus Profits," was published in the Life magazine issue of June 24, 1966; and the second, entitled "Profit from Prescriptions," was published in the Consumer Reports, issue of May 1966. The latter article, Mr. Speaker, already has been printed, in part, in the RECORD, on June 1, at my request. I have just discovered, unfortunately, that one page of the article was left out by the printers. Therefore, I submit the article to be reprinted in full at this time:

[From Life, June 24, 1966]

UNEASY BALANCE—ETHICS VERSUS PROFITS—CONGRESS WEIGHS A BILL TO STOP M.D.'S WHO MAKE MONEY FROM THE PRESCRIPTIONS THEY WRITE

(By Keith Wheeler and William Lambert)

From the days of Hammurabi and Hippocrates, in all civilized societies, the doctor has been endowed with a sacred franchise for a simple but profound reason: the moment a patient enters the doctor's office he places himself in another man's hands. For centuries the medical profession has acknowledged that particular obligations attach to its exclusive power to prescribe. It has also acknowledged that the ethics of medical practice are inextricably involved with making money.

As early as 1407, in Genoa, the city rulers enjoined upon the pharmacists and physicians of the city a stern ethical code to govern the economics of their profession: "We fix and ordain—to prevent any pharmacist from having temptation or reason for sinning, and to keep them from raising prices higher than is becoming—that no pharmacist may keep shop in partnership or agreement with any physician."

The ethical-economic conflict with the Genoa Legal Code sought to resolve has, within the last decade and a half, increasingly plagued American medicine. Today more than 10,500 physicians (a conservative estimate) are employing doubtfully ethical means of making extra money out of the prescriptions they write for their patients. Though this is a small proportion of the nation's 225,000 practicing doctors, it is growing in the face of organized medicine's insistence on governing itself.

Congress is now considering a bill, proposed by Senator PHILIP A. HART (D-Mich.), which would bluntly forbid any physician to profit from the medications he prescribes. Apprehension that a scant 5% of their ranks could besmirch the honor of an entire profession moved the American Medical Association in March to hold a First National Congress on Medical Ethics. The problem is virtually certain to come up again when the American Medical Association's House of Delegates meets in Chicago late this month.

A.M.A. members know that prescribing for profit to captive patients negates a doctrine which the A.M.A. itself has vigorously championed, particularly in its resistance to Medicare: the patient's absolute right of free choice on where and from whom to seek medical help.

An investigation of nearly four years by Senator HART's Senate Subcommittee on Antitrust and Monopoly—supported by recent independent investigation by Life—has turned up three main categories of medical practices susceptible to abuse:

A doctor who owns or has a financial interest in a pharmacy may steer his patient there. Physician-ownership of pharmacies has grown with the increase of group, or clinic, practice and the number of clinic pharmacies.

A doctor holding a stock interest in a type of pharmaceutical firm called a "repackaging house" may be tempted to prescribe that firm's products in preference to other medications which are probably cheaper and possibly more suitable. Repackagers take advantage of two things: (1) the tremendous proliferation in recent years of common or generic drugs—from vitamins to antibiotics—which they buy inexpensively in bulk, relabel and then distribute under their own private brand names; and (2) the fact that when a drug is prescribed by its private name, a pharmacist is bound to fill it by that name. For a doctor to hold stock in a repackaging company was condemned in 1963 by the A.M.A.'s House of Delegates—but the practice continues.

An ophthalmologist who examines a patient's eyes may then himself dispense the glasses he prescribes. In relative numbers, ophthalmology has far more of its practitioners engaged in filling prescriptions than any other branch of medicine.

The Senate's study, which will involve other areas of abuse as it continues, has been conducted mainly by an assistant counsel of the committee, Mrs. Dorothy Goodwin. She has determined that the practices so far under investigation are being followed, in one form or another, from coast to coast.

Some random examples:

In Knoxville Mrs. Goodwin found a drug manufacturing firm where most of the stockholders were doctors. It has been cited 17 times by the Food and Drug Administration for misbranding and for contamination of its products, including dead insects in raw materials.

In Columbia, S.C. she turned up a firm with doctor-stockholders in the majority which was buying bulk sodium salicylate—a common, over-the-counter drug akin to aspirin—then bottling and labeling it with its own trade name and distributing it as a more costly prescription drug. That firm's physician-president, inviting other doctors

to a stockholders' meeting, urged: "If you can't come—write! (prescriptions, that is.)"

In Wisconsin, Mrs. Goodwin discovered that the number of doctor-owned pharmacies had increased from five to 24 between 1950 and 1964.

In Tucson, Ariz., Bakersfield, Calif., Charlotte, N.C. and Reading, Pa., a majority of ophthalmologists were also in business as eyeglass merchants.

Mrs. Goodwin has identified some 150 drug repackaging firms with doctor ownership. Life has discovered 10 more.

Organized medicine vigorously opposes the Hart legislation, although many individual doctors just as vigorously oppose the practices the bill aims to end. The profession's official objection to the bill has been stated by Robert Throckmorton, who until a year ago was the A.M.A.'s general counsel:

"We are . . . in the position of having the finger pointed at the physicians . . . and saying anybody in the world can hire a pharmacist except you greedy doctors. . . . This is the root of much of the resentment from the medical profession."

As carried on before the Hart Committee—and outside it—the debate hinges largely on who is entitled to get the patient's prescription dollar. Many doctors defend the propriety of selling medicines, medical appliances and eyeglasses on grounds that no ethical question arises so long as "the best interests" of the patient are preserved. But medicine's auxiliaries—pharmacists and opticians—complain they are being driven out of business by the monopolistic competition of dispensing doctors. Although the big, diversified drugstores are thriving nationally, the old-fashioned, small, corner drugstore "will be extinct in a decade," predicts one spokesman for the nation's pharmacists. "The oldtime druggist today is about in the same position the harness makers were in when they first saw a Model T Ford."

"This [competition] is not an ethical problem at all," insisted Throckmorton, ". . . it is a sheer, raw economic problem."

One Oregon pharmacist says it is useless to try to adjust the dispute amicably: "Negotiating with doctors is like negotiating with Ho Chi Minh. The doctors say, sure we'll talk, but first get the hell out of our country."

The third party to the debate, the patient, so far has been a bystander, although his health and his pocketbook are both at stake. For him the issues are whether he receives the best possible medical attention for his ailments, whether he pays a fair price, whether his rights are being aborted and, above all, whether his trust is being honored or betrayed.

In his relationship to his doctor the patient is often peculiarly vulnerable. His weakness is psychological. He may shop around for everything else he buys, from cars to cornflakes, but he takes his doctor on faith.

Abundant ways of victimizing the patient are at hand for the doctor who wants to use them. These include writing a prescription in a code which can be translated only by a pharmacist of the doctor's—not the patient's—choosing; using a direct line to telephone prescriptions to a particular pharmacist; printing the name and address of the favored pharmacist on the doctor's Rx blank; or even selling drugs in his own office. All these practices have been declared unethical by the A.M.A.'s Judicial Council, but they still flourish. The council lacks the necessary power to enforce its principles.

A recent controversy over direct sales by two Ventura, Calif., physicians arose in charges made by a local pharmacist, D. R. Patterson. Patterson said that the doctors were treating young acne sufferers with an antibiotic called tetracycline and were selling the drug, imported from Italy, from their own offices. According to Patterson, when







# DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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## CONTENTS

Appropriations.....2	Farm program.....5,11	River basin.....17
Banking.....26	Housing.....20	Saline water.....7,21
Beef imports.....5	Inflation.....18,20	School milk.....10
Child nutrition.....15	Job Corps.....6	Sugar.....25
Civil rights.....14	Labeling.....8,22	Water pollution.....4
Cost of living.....23	Life insurance.....1,9	Water supply.....19
Disaster relief.....13	Packaging.....8,22	World food.....16
Economy.....20	Participation sales.....24	
Farm labor.....12	Research.....3,7,21	

HIGHLIGHTS: House received veto message on Federal employees life insurance bill.

## HOUSE

1. LIFE INSURANCE. Received the President's veto message on H. R. 6926, to increase life insurance coverage for Federal employees (H. Doc. 495); to Post Office and Civil Service Committee. pp. 21493-4
2. D. C. APPROPRIATION BILL. Passed as reported this bill, H. R. 17636, which includes school lunch funds. pp. 21495-7
3. RESEARCH. Passed with amendment H. R. 16559, to authorize Sea Grant Colleges. pp. 21510-23
4. WATER POLLUTION. Rep. Horton spoke in support of H. R. 16076, the bill to expand the water-pollution control program. pp. 21527-8
5. FARM PROGRAM. Rep. Langen criticized the administration's farm-program record,



especially regarding beef imports. p. 21548

6. JOB CORPS. Rep. Mink spoke in support of the Job Corps record. p. 21550
7. SALT-WATER RESEARCH. Received from the Interior Department a proposed bill to provide for participation in construction and operation of a large prototype desalting plant. To Interior and Insular Affairs. p. 21564
8. PACKAGING; LABELING. The Interstate and Foreign Commerce Committee tabled H. R. 15440, to prevent unfair or deceptive methods of packaging or labeling of certain consumer commodities. p. D871

#### SENATE

9. LIFE INSURANCE. Sens. Carlson and Monroney defended H. R. 6926, the Federal employees life insurance bill which the President vetoed. pp. 21416-7
10. SCHOOL MILK. Sen. Proxmire said the planned budget cuts should not be made at the expense of the school milk program. p. 21419
11. FARM PROGRAM. Sen. Talmadge inserted a summary of the remarks of Under Secretary Schnittker, "Farm Policy--Today's Direction," before the American Farm Economics Association. pp. 21421-3
12. FARM LABOR. Sen. Robertson asked that farm workers on a piece basis be excluded from the labor standards bill. p. 21425
13. DISASTER RELIEF. Sen. Bayh commended the performance of Henry Palm, FHA, in assisting an Ind. town following a tornado. p. 21433
14. CIVIL RIGHTS. Continued debate on H. R. 14765, the civil rights bill. pp. 21445-54, 21461-7, 21476-92
15. CHILD NUTRITION. Conferees were appointed on S. 3467, the child nutrition bill. House conferees have not yet been appointed. pp. 21454-6
16. WORLD FOOD. Sen. Dominick suggested possibilities for alleviating world food needs. pp. 21456-61
17. RIVER BASIN. Passed without amendment H. R. 13508, to direct Interior to cooperate with N. Y. and N. J. on a program to develop, preserve, and restore the resources of the Hudson River. This bill will now be sent to the President. pp. 21476-9
18. INFLATION. Sen. Williams, Del., recommended several actions to control inflation. pp. 21469-76

#### ITEMS IN APPENDIX

19. WATER SUPPLY. Extension of remarks of Rep. Martin, Ala., on the agricultural potential of the Sand Mountain area in Ala. and the need of assistance for its development. pp. A4781-2



proposed that principle will be debauched?

MR. McCLELLAN. There is no doubt about that.

MR. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (MR. NELSON in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MR. JAVITS. Mr. President, I am moved very strongly by the morning news about the impending cloture vote to make a few brief statements here on the floor which I think are essential to an understanding of the situation.

First and foremost, we see one thing about violence, and that is that violence breeds violence. And who could read the story about Grenada, Miss., in the newspapers this morning without having his blood run cold?

Just as we may not want to wish to be intimidated by Negro violence, whether under the slogan of "black power" or not—though Negroes have been careful to define it as excluding violence—so I hope we are not going to be intimidated by white violence. We read this morning about the beating up of little children. Men must be blind or mad to engage in such conduct in this country.

I denounce it on the floor of the Senate. There is no excuse for that or for black violence.

MR. President, it illustrates one thing. Justice and the law must be enforced, whether it be to desegregate public schools, or to prevent riots and window breaking. There can be no substitute for law.

Grievances cannot be bottled up for generations without having the pot boil over. We will never have enough policemen to enforce the law under those conditions. We do not want to use them. We will not have enough troops to keep it down, and we do not want to do that to maintain order. But we expect to have a measure of justice to induce order among our citizens, and the civil rights bill we are discussing now is absolutely essential.

I wish to point out that title V of the bill would reach the Grenada situation. It gives the Federal Government power to proceed against those who are denying civil rights to those who are contending for those rights or those who are helping others obtain them. The title also provides a measure of punishment which would fit the crime.

Of course, Mr. President, there are deep differences of opinion in this Chamber as to whether this bill should pass. It is the duty of those of us who are proponents of the bill to call attention to the kind of violence which is bred by the effort to impose injustice in violation of law—and, in Grenada, Miss., in violation of the solemn orders of the U.S. district court.

It is our duty to denounce such violence, and to point out that we could be

in much worse shape than we are. We might really have open revolt in parts of this country, if we had not gradually permitted the law to become operative in respect to the civil rights movement as it began to develop in 1954.

Another thing about which I wish to speak today, and which I think is critically important to my party, is what I now see to be something of an effort, perhaps even a calculated effort, to lay the risk of failure of this bill, disastrous as it would be to the country, upon "Republicans."

MR. President, the minority leader [MR. DIRKSEN] has an absolute right to his opinion. But Senator DIRKSEN, I believe, would be the first to affirm that that does not represent the opinion of all Republicans. I deplore and am very unhappy about the fact that Senator DIRKSEN seemingly is against this measure. I had hoped against hope that in 1966 he would do what he did in 1964—lead us on a civil rights bill, in finding ways and means of compromise. I and others have knocked ourselves out, and will continue to do so, trying to find some way of meeting his views, deeply and sincerely held, on housing, as we did on public accommodations.

I am deeply depressed and deeply disappointed by the fact that he is opposed to this bill. His opposition is meaningful and important.

But, MR. President, it is by no means the opposition of "Republicans"; nor should the administration seek to lay upon that party its own failures in endeavoring to bring about the passage of a meaningful and important civil rights bill.

The President said yesterday at his news conference:

A lot depends on his, DIRKSEN's, willingness to support it. I hope we can find some way to get his support. Whether it passes or fails depends largely on what the minority leader does.

MR. President, this is the President of the United States, with enormous power and enormous influence, and with two-thirds of the Members of the Senate on his side, not on this side.

There will be some votes here. I hope as many as half the Republicans will vote for cloture. Perhaps they will not; but there will certainly be an appreciable vote here.

But should cloture fail, the real failure, MR. President, will be the inability to turn out the majority to the extent it needs to be turned out in order to effect cloture, even on this first trial.

So, MR. President, with all respect, I think that had better be stated, and we had better understand. Senator DIRKSEN has himself, on previous occasions, during the Eisenhower administration, said that he was carrying the flag for one thing or another. Sometimes he stood alone. He is not afraid of that. Sometimes he has stood together with the majority of Republicans.

But I do not think that his opposition or his feeling about this bill should characterize the Republican side. Senators will tomorrow stand up and be counted—and should be considered—for what they believe.

One other thing, MR. President. It is with pride that I state that in 1957, 1960, 1964, and 1965 a much greater percentage of Republican Senators voted for the civil rights bills of those years than Democrat Senators. In 1957, for example, 100 percent of the Republicans present and voting voted for the civil rights bill. On the Democratic side, it was 60.5 percent.

In 1960, the vote was 100 percent on the Republican side, and 84 percent on the Democratic side.

In 1964, it was 82 percent on the Republican side and 69 percent on the Democratic side. And in 1965, it was 93 percent on the Republican side, and 69 percent on the Democratic side.

This is a record of which to be proud, MR. President, and it is a record which needs to be cited. Without in any way complaining about the opposition of my own leader, whose support for this bill would be invaluable, as everybody knows, and which I hope and pray to obtain, I think it is necessary to set the record straight that what Republicans do will depend upon how they vote as individuals.

The opposition of the minority leader cannot be used to characterize opposition to the civil rights bill as being "the Republican opposition," nor can the President of the United States and the majority avoid their responsibility by laying the fate of this bill upon the back of Senator DIRKSEN, which I do not think is fair at all. Nor does this approach discharge properly the responsibilities of the administration to do everything in its power to bring about the passage of the bill which it proposed, quite rightly and properly, and sent to Congress.

MR. LAUSCHE. MR. President, I feel that I would be delinquent in the fulfillment of my own responsibilities unless I expressed my reaction to what is sought to be done in placing the entire responsibility relating to the passage of the civil rights bill upon the minority leader [MR. DIRKSEN].

He has a right to exercise his judgment concerning what course he believes will be in the best interests of the country. He is, in fact, the minority leader; but to say that the defeat or the passage of the bill lies entirely with him is indulging in political manipulation which in my judgment is not justified. Are we to ask him to abandon his judgment, and to remain passive, without expressing his views to his fellow Senators? In my opinion, the posing of such a proposal to him would be completely unjustified.

Various judgments will be expressed on the measure. Each Senator, I hope, will cast his vote primarily on the basis of what he believes is right and proper. Many will struggle to dismiss from their minds the tremendous motivating force of political expediency. That will be a pretty hard task to achieve. But if we are to perform our duty to our country properly, we should dismiss from our minds completely any consideration of what is politically good or politically bad. Our aim should be to further a course that will serve, in perpetuity, our system of government.

There will be votes cast on the basis of



political expediency. That has been done in the past, and will be done in the future. We have cast votes on the basis of what is politically advantageous with respect to the repeal of taxes. But today and tomorrow, we are talking about reimposing taxes. I have just read the RECORD of the 1965 debate on the repeal of the automobile tax; and I am rather proud, Mr. President, that there were three of us who voted against it: Senator Harry F. Byrd of Virginia, who is no longer with us, the Senator from Delaware [Mr. WILLIAMS], and myself.

The argument was made by others and by me that we could not subscribe to a reduction of taxes at the same time that we called upon the Senate to raise the debt ceiling. I, at least, could not reconcile myself to that paradoxical and conflicting position.

At practically that same time, the Senate had two measures pending before it. One measure was to reduce taxes and the other was to increase the debt ceiling. It was my opinion that we could not vote for both, but that we had to be for one and against the other. Many voted for both. I voted against both.

Mr. President, I will cast my vote on cloture tomorrow. I will do so substantially on the basis of what I believe will provide a fair enjoyment of constitutional rights for every member of our society.

We must consider the constitutional rights of the individual who owns a piece of property. In my judgment, the Constitution says that when a person, with the money earned by his own labor and by the sweat of his own brow, buys a piece of property and builds upon it a structure to provide habitation for people, he should be afforded protection by the Constitution. That property and building has been purchased with the results of his labor, and the Government has no right to tell him what he shall do with it.

I realize the significance of what I have said. The easy way out would be to say: "I will vote for cloture." But that would not be the conscientious way out.

If I were to follow that course, I would be bowing to political advantage and political expediency. At this stage of my public career, I will not pay that price.

I have, in my whole political career, attempted with all my might to provide for the full enjoyment of constitutional rights by every citizen of this country.

If John Brown has acquired a piece of property and built upon it a structure to house human beings, and if the Government has given him nothing by way of grants, he is entitled to say: "This is my property. I have a right to determine how I shall use it."

That is the way the whole problem appears to me.

I am finally of the judgment that if we in the Senate begin to advocate that principle, we shall be providing for the full constitutional enjoyment of rights not only by the minority, but also by the majority. The prospects of our country continuing to live will be greatly enhanced.

The Carmichaels and the McKissons cannot be permitted to run this Nation.

They speak not for the Negro people. They have made it most difficult for every Member of Congress to provide help where it is needed.

These men in moving around the country—precipitating riots, and inducing young men to burn their draft cards and lie down in public places to impede the movement of traffic and in front of trains carrying military equipment and personnel—are seemingly directing what our country shall do.

It is a grave question that is before us. I recognize it. I repeat that throughout my whole public career I have fought for and advocated the promotion of the economic and social status of every minority group within our country. I broke the color barrier—a firm one—in Ohio while I was the mayor of Cleveland, when white firemen refused to sleep with Negro firemen in the firehouses; when the water department and the electricity department of the city of Cleveland refused to hire Negroes because of the fear that white women would not permit them to read the meters in the homes.

I went into a factory in Cleveland in 1943 at 2 o'clock in the morning, when white women were refusing to work with Negro women. I got onto a table and said, "You are Hungarians. How would you like it if you were seeking jobs but were told you could not be given jobs because you are Hungarians?" I was heckled. The table was shaken. But I went on with my argument.

I merely state this to emphasize that I have been a friend of the minority group in the fullest degree.

Repeating what I have already said, tomorrow I will vote against cloture.

Mr. President, I yield the floor.

Mr. DOMINICK. Mr. President, I wish to thank the distinguished Senator from Ohio for the position he has taken with respect to the distinguished Senator from Illinois [Mr. DIRKSEN], the minority leader. I believe it has been grossly unfair for the President and others to say that the question of what will happen to the civil rights bill depends solely on Senator DIRKSEN's opinion.

All of us have deep respect and admiration for the minority leader, and we all hope that something will be worked out.

More than two-thirds of the membership of the Senate are of the President's party, so to place the responsibility for the disposition of the civil rights bill solely on the Senator from Illinois [Mr. DIRKSEN] seems to me to be wholly erroneous and misleading to the public at large. So I express appreciation to the Senator from Ohio for the statement he has made.

Mr. LAUSCHE. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. The gravity of the wrong that has been committed is the belief that to put the finger upon the minority leader will make a coward out of him and cause him to abandon his honest judgment and to abandon what he believes is in the best interests of the country.

Nothing disturbs me more than people who believe that they can make a coward

out of me. That is what they are trying to do to Senator DIRKSEN.

Mr. DOMINICK. I thank the Senator from Ohio.

#### CHILD NUTRITION ACT OF 1966— AMENDMENT

Mr. ELLENDER. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 3467.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Child Nutrition Act of 1966".

#### DECLARATION OF PURPOSE

SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

#### SPECIAL MILK PROGRAM AUTHORIZATION

SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purpose of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

#### SCHOOL BREAKFAST PROGRAM AUTHORIZATION

SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out, on a non-partisan basis, a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

#### APPORTIONMENT TO STATES

(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion \$2,600,000 equally among the States other than Guam, the Virgin Islands, Trust Territory of the Pacific Islands, and American Samoa, and \$45,000 equally among Guam, the Virgin



Islands, Trust Territory of the Pacific Islands, and American Samoa, and (2) apportion the remainder among the States in accordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (e). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

#### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(e) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### NONPROFIT PRIVATE SCHOOLS

(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

#### NONFOOD ASSISTANCE PROGRAM AUTHORIZATION

SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such equipment shall be for use of such schools principally in connection with child feeding programs authorized

in this Act and in the National School Lunch Act, as amended, and in the event such equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

#### APPORTIONMENTS TO STATES

(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any facilities financed under this subsection shall be borne by State or local funds.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, facilities, to conduct a school food service program, and to acquire such facilities. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment and facilities needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the facilities to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### NONPROFIT PRIVATE SCHOOLS

(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

#### PAYMENTS TO STATES

SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### STATE ADMINISTRATIVE EXPENSES

SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

#### UTILIZATION OF FOODS

SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under sec-

tion 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

#### NONPROFIT PROGRAMS

SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

#### REGULATIONS

SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

#### PROHIBITIONS

SEC. 11. (a) In carrying out provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

#### CENTRALIZATION OF ADMINISTRATION

SEC. 12. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

#### PRESCHOOL PROGRAMS

SEC. 13. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.

#### OVERSEAS DEPENDENT SCHOOLS

SEC. 15. (a) There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to extend to children attending overseas dependent schools administered by the Department of Defense the benefits of this Act and of the National School Lunch Act, as amended.

(b) The Secretary, after appropriate consultation with the Secretary of Defense, is authorized to make such rules and regulations as he deems necessary to carry out the purposes of this section.

#### MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 16. For the purposes of this Act—  
(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Trust Territory of the Pacific Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under



section 501(c)(3) of the Internal Revenue Code of 1954.

(d) "School" means any public or non-profit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit childcare centers certified as such by the Governor of Puerto Rico.

(e) "Secretary" means the Secretary of Agriculture.

#### ACCOUNTS AND RECORDS

SEC. 17. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendments of the House to S. 3467 and request a conference with the House on the disagreeing votes, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. HOLLAND, Mr. TALMADGE, Mr. JORDAN of North Carolina, Mr. MCGOVERN, Mr. AIKEN, Mr. YOUNG of North Dakota, and Mr. COOPER conferees on the part of the Senate.

#### ORDER OF BUSINESS

Mr. DOMINICK. Mr. President, I have been fascinated this morning in listening to my colleagues from Ohio and Rhode Island and Wisconsin speak on so many subjects, bringing up problems, I must say, which Republicans have been pointing out for these 5 years. It is a great comfort to me, as a member of the Colorado delegation, on the Republican side, to hear my Democratic friends finally taking cognizance of the problems that we have been pointing out. I hope that they will continue to do so.

Mr. President, the subject about which I wish to speak today is different. Because it is different and because this is not the morning hour I ask unanimous consent that I may proceed with my address on a nongermane subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SOLOMON'S DECISION

Mr. DOMINICK. Mr. President, the leaders of this Nation and the entire free world are facing in the relatively near future some most awesome decisions, comparable in magnitude to the decision posed by full-scale nuclear war—decisions so Solomonic in nature that God has never given the power to make such judgment to any human.

The stage is set. The curtain has already started to rise in some parts of the world. The scene coming into focus will show mass starvation and nations decimated by disease of epidemic proportions greater than the plagues of the Middle Ages.

Who shall have the wisdom and the power to decide which people shall be saved and which shall be allowed to die of starvation and of disease brought about through malnutrition?

Can free nations or the world itself survive the forces which will develop from the driving hunger of the hundreds of millions of people in the food-scarce areas of the world? History records famines and plagues, but nothing of the magnitude which now threatens, and consequently history does not provide us with answers to this threat.

There is, however, encouraging evidence that the calamity can be at least partially averted and the full effect lessened if the nations of the world act in time. And like the Biblical story of Joseph, who warned Pharaoh that 7 years of plenty would be followed by 7 years of famine, there is time to act if the nations of the world have the will to act.

There is no simple and easy solution to the specter of mass starvation in vast areas of the world. No magic incantation will be found to transform deserts into lush gardens in the twinkling of an eye. Nor can we hope for a repetition of the Heavenly miracle of the five loaves of bread and two little fishes which fed the multitude of 5,000 people gathered in Galilee to hear the teachings of Christ. We must not only put to wider use the knowledge we have already gained in the past two decades, but we must also accelerate our efforts to add to our knowledge of food production technology, and find means of communicating our knowledge to the have-not nations of the world.

There are many complex problems to be overcome, and the time for solving many of them already is critically short. Food production is daily losing the race against population explosion in Latin America, Asia and Africa. Only the United States, Canada, Australia, and New Zealand remain as major food surplus nations in the world. The Soviet Union and Eastern Europe are barely meeting their own needs. The rate of population growth in the rest of the world threatens to surpass even our ability to fill the growing world food deficit—even at the bare subsistence level.

At the beginning of this century the world had an estimated 1,650 million human beings occupying its surface. That number has now doubled, and at the present birth rate, will more than double again before this century ends. It is most paradoxical that the greatest increase in population is occurring and will continue to occur in those areas of the world which are now producing less and less of their food needs.

It has been estimated that, if the present ratio between population increase and food production continues throughout the world, in the next dozen years the world will face a food deficit of as much as 240 million metric tons annually. Under these conditions, the same source has estimated that 48 million human beings will be left to starve and the specter of disease stalking quietly through whole populations debilitated by malnutrition will become a terrible reality.

Who has the wisdom to make that decision: "Who shall live and who shall be left to starve?"

The burden rests heavily upon the United States. For two decades we have shared our abundance with the hungry nations of the world. Since 1954 farm products worth an estimated \$25 billion in terms of the cost of acquisition, handling, and shipping have been distributed to more than 100 nations of the world by the United States under Public Law 480, and now we are rushing still more emergency aid to India. What lessons can be learned from the past 20 years?

There is strong evidence to support the conclusion that our handouts over the past 20 years have served mainly to postpone crises, and in some instances, to compound them by an adverse effect upon the recipient's incentive to help himself. In those areas we must profit by our mistakes and seek different solutions. We dare not continue our present course in those areas where our generosity has created lethargy instead of incentive. This is the crux of our problem. Experts in the field of human nutrition have provided some interesting analyses.

Prof. Nevin S. Scrimshaw, head of the department of nutrition and food science at Massachusetts Institute of Technology, in his address to the annual meeting of the American Freedom From Hunger Foundation last October stated:

Even with up to 80 percent of their population engaged in agriculture, the less developed countries are losing the capacity to feed themselves. Before World War II, the less developed regions were exporting 11 million metric tons of grain per year to the developed countries. During the early post war years from 1948 to 1952, this flow reversed, as an average of 4 million tons of grain per year moved from the developed to the less developed world. As population growth rates accelerated in the 1950's the flow increased, averaging 13 million tons annually in the years 1957-59 and approximately 25 million tons in 1964.

Per capita availability of grains, legumes, roots and tubers at the end of this decade is projected as 210 kilograms per capita in the developing countries, 470 kilograms for the communist countries, and at least 670 kilograms in the technically developed countries of the West. Food output per person in Asia, excluding Communist China, has dropped 4 percent since the postwar high in 1961, and in Mainland China even more. Latin America output has declined each year since 1958, dropping 5 percent in 5 years.

The latest reports show per capita food production lower last year than in the preceding two years in 10 of 20 Latin American countries, 10 of 16 countries in the Far East, and all 4 of the countries of South Asia—India, Pakistan, Ceylon and Afghanistan. In 43 of 63 countries for which data are available, per capita production of rice, wheat, and corn is now decreasing.

Professor Scrimshaw's conclusions are:

We must face certain hard facts. The consequences of a continuing decrease in per capita food production in the developing countries cannot—for political, economic, and agricultural reasons—be avoided indefinitely by ever increasing food shipments, largely from the United States. It is evident that the rapidly worsening world food situation can be permanently improved only by two measures—a more rapid increase in food production in the developing countries and a less rapid increase in population.







# ***DIGEST*** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

Issued Sept. 15, 1966  
For actions of Sept. 14, 1966  
89th-2nd; No. 155

### CONTENTS

Appropriations.....8	Highways.....27	Salt water research...5,20
Child nutrition.....9	Interest rates.....3	School milk.....6
Civil rights.....2	Labor standards.....1	Sea-grant colleges...4,16
Diet foods.....23	Land banks.....15	Seeds.....14
Extension work.....12	Military construction.8,25	Surplus property.....22
Farm labor.....1	Recreation.....21	Tariff.....19,26
Food marketing.....13	Roads.....27	Textiles.....17
Food needs.....7	Rural development.....10	Water pollution.....11,18

HIGHLIGHTS: Senate agreed to conference report on labor standards bill.

### SENATE

1. LABOR STANDARDS. Agreed to, 55-38, the conference report on H. R. 13712, to extend the coverage of the Fair Labor Standards Act to additional groups, including agricultural employees, and to increase minimum wages under the Act. This bill will now be sent to the President. pp. 21730-50
2. CIVIL RIGHTS. Rejected, 54 yeas to 42 nays (a two-thirds vote being required), a cloture motion on H. R. 14765, the civil rights bill. pp. 21631-8, 21690-8, 21716-30, 21751
3. INTEREST RATES. The Banking and Currency Committee reported without amendment H. R. 14026, to provide for more flexible regulation of maximum rates of interest or dividends payable by banks and certain other financial institutions on

deposits or share accounts, to authorize higher reserve requirements on time deposits at member banks, to authorize open market operations in agency issues by the Federal Reserve banks, etc. (S. Rept. 1601). p. 21622

4. SEA-GRANT COLLEGES. Passed with amendment H. R. 16559, to authorize sea-grant colleges. S. 2439, the companion bill, was indefinitely postponed. pp. 21708-16
5. SALT-WATER RESEARCH. Received from the Interior Department a proposed bill to provide for participation by that Department in construction and operation of a large prototype desalting plant. To Interior and Insular Affairs Committee. p. 21622
6. SCHOOL MILK. Sen. Proxmire spoke in support of the school milk program. p. 21645
7. FOOD NEEDS. Sen. Clark inserted an article on food needs of the world. pp. 21754-7

#### HOUSE

8. MILITARY-CONSTRUCTION APPROPRIATION BILL. Passed 346-3, as reported this bill, H. R. 17637. pp. 21569-93
9. CHILD NUTRITION. Conferees were appointed on S. 3467, the child nutrition bill. Senate conferees have been appointed. p. 21593
10. RURAL DEVELOPMENT. Rep. Evins, Tenn., inserted the President's statement on the importance of rural development. pp. 21600-2
11. WATER POLLUTION. Rep. Rhodes, Ariz., inserted the Republican Policy Committee's statement on the water pollution control program. pp. 21607-8  
Rep. Vivian inserted testimony by Rep. William D. Ford favoring additional water-pollution control. pp. 21613-4
12. EXTENSION WORK. Rep. Natcher commended the work of 4-H clubs. pp. 21612-3
13. FOOD MARKETING. Rep. Rosenthal inserted an article analyzing the work of the National Commission on Food Marketing. pp. 21615-7
14. SEEDS. The Agriculture Committee reported with amendments H. R. 15662, to make various amendments to the Federal Seed Act (H. Rept. 2042). p. 21619
15. LAND BANKS. The Banking and Currency Committee voted to report (but did not actually report) S. J. Res. 153, to provide for medals in commemoration of the 50th anniversary of the Federal land bank system. p. D876

#### ITEMS IN APPENDIX

16. SEA-GRANT COLLEGES. Speech in the House by Rep. Downing in support of legislation to establish and operate sea-grant colleges and programs. p. A4807
17. TEXTILES. Rep. Whitener inserted the reply of the Avondale Mills president to Sen. Curtis' recommendation that the government "abandon the understanding



Edwards, La.	Kluczynski	Rhodes, Ariz.
Ellsworth	Kornegay	Rhodes, Pa.
Everett	Krebs	Rivers, S.C.
Evins, Tenn.	Kunkel	Rivers, Alaska
Farnum	Kupferman	Roberts
Fascell	Laird	Robison
Feighan	Langen	Rodino
Findley	Latta	Rogers, Colo.
Fino	Leggett	Rogers, Fla.
Flood	Lehman	Ronan
Foley	Lipscomb	Rooney, N.Y.
Ford, Gerald R.	Love	Rooney, Pa.
Ford, William D.	McCarthy	Rosenthal
Fountain	McClary	Rostenkowski
Fraser	McCulloch	Roudebush
Frelinghuysen	McDade	Roush
Fulton, Pa.	McDowell	Rumsfeld
Fulton, Tenn.	McEwen	Ryan
Fuqua	McFall	Satterfield
Gathings	McGrath	St. Onge
Gettys	McVicker	Saylor
Glaime	Maddonald	Scheuer
Gibbons	MacGregor	Schleser
Gilbert	Machen	Schmidhauser
Gilligan	Mackay	Schneebell
Gonzalez	Mackie	Schweiker
Goodell	Mahon	Scott
Grabowski	Mailliard	Secrest
Gray	Marsh	Selden
Green, Oreg.	Martin, Nebr.	Shibley
Green, Pa.	Mathias	Shriver
Greigg	Matsunaga	Sikes
Grider	Matthews	Skubitz
Griffiths	May	Slack
Gross	Meeds	Smith, Calif.
Grover	Michel	Smith, Iowa
Gubser	Miller	Smith, N.Y.
Gurney	Minish	Smith, Va.
Hagen, Calif.	Mink	Springer
Haley	Minshall	Stafford
Hall	Mize	Staggers
Halleck	Moeller	Stalbaum
Halpern	Monagan	Stanton
Hamilton	Moore	Steed
Hanley	Moorhead	Stubblefield
Hanna	Morgan	Sullivan
Hansen, Iowa	Morse	Sweeney
Hansen, Wash.	Mosher	Talcott
Hardy	Moss	Taylor
Harsha	Murphy, Ill.	Teague, Calif.
Harvey, Ind.	Murphy, N.Y.	Teague, Tex.
Harvey, Mich.	Natcher	Thomas
Hathaway	Nedzi	Thompson, N.J.
Hays	Nelsen	Thompson, Tex.
Hechler	Nix	Thomson, Wis.
Henderson	O'Brien	Tuck
Herlong	O'Hara, Ill.	Tunney
Holfield	O'Hara, Mich.	Tupper
Hosmer	Olsen, Mont.	Ullman
Howard	Olson, Minn.	Utt
Hull	O'Neal, Ga.	Vanik
Hungate	Ottinger	Vigorito
Huot	Passman	Vivian
Hutchinson	Patman	Waggonner
Ichord	Patten	Walde
Irwin	Pepper	Watkins
Jacobs	Perkins	Watson
Jarman	Philbin	Watts
Jennings	Pickle	Whalley
Joelson	Pike	White, Tex.
Johnson, Calif.	Pirnie	Whitener
Johnson, Okla.	Poage	Whitten
Johnson, Pa.	Poff	Widnall
Jonas	Pool	Williams
Jones, Ala.	Powell	Wilson, Bob
Jones, Mo.	Price	Wilson, Charles H.
Karsten	Pucinski	Wolff
Kastenmeier	Purcell	Wright
Kee	Quillen	Wyatt
Keith	Race	Wyder
Kelly	Randall	Yates
Keogh	Redlin	Young
King, Calif.	Reid, Ill.	Younger
King, Utah	Reid, N.Y.	Zablocki
Kirwan	Reifel	
	Reuss	

## NAYS—3

Brown, Calif. Long, Md. Morton

## NOT VOTING—83

Abbitt	Curtin	Fisher
Abernethy	Davis, Ga.	Flynt
Albert	Dent	Fogarty
Andrews, Glenn	Devine	Friedel
Aspinall	Dickinson	Gallagher
Boland	Diggs	Garmatz
Brock	Dorn	Hagan, Ga.
Celler	Edmondson	Hansen, Idaho
Clancy	Edwards, Calif.	Hawkins
Colmer	Erlenborn	Hébert
Conable	Evans, Colo.	Helstoski
Conyers	Fallon	Hicks
Corman	Farbstein	Holland
	Farnsley	Horton

Jones, N.C.	O'Konski	Stephens
Karth	O'Neill, Mass.	Stratton
King, N.Y.	Pelly	Tenzer
Landrum	Quie	Todd
Long, La.	Rees	Toll
McMillan	Reinecke	Trimble
Madden	Resnick	Tuten
Martin, Ala.	Rogers, Tex.	Udall
Martin, Mass.	Roncalio	Van Deerlin
Mills	Roybal	Walker, Miss.
Morris	St Germain	Walker, N. Mex.
Morrison	Senner	Weltner
Multer	Sickles	White, Idaho
Murray	Sicks	Willis

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. King of New York.  
 Mr. O'Neill of Massachusetts with Mr. Martin of Massachusetts.  
 Mr. Fogarty with Mr. O'Konski.  
 Mr. Celler with Mr. Curtin.  
 Mr. Hagan of Georgia with Mr. Glenn Andrews.  
 Mr. Davis of Georgia with Mr. Walker of Mississippi.  
 Mr. St Germain with Mr. Brock.  
 Mr. Boland with Mr. Conable.  
 Mr. Hicks with Mr. Quie.  
 Mr. Abernethy with Mr. Dickinson.  
 Mr. Colmer with Mr. Martin of Alabama.  
 Mr. Garmatz with Mr. Devine.  
 Mr. Friedel with Mr. Pelly.  
 Mr. Fallon with Mr. Horton.  
 Mr. Farbstein with Mr. Reinecke.  
 Mr. Sickles with Mr. Hansen of Idaho.  
 Mr. Sisk with Mr. Erlenborn.  
 Mr. Morrison with Mr. Clancy.  
 Mr. Rees with Mr. Diggs.  
 Mr. Evans of Colorado with Mr. Conyers.  
 Mr. Roncalio with Mr. Madden.  
 Mr. Roybal with Mr. Long of Louisiana.  
 Mr. Resnick with Mr. Landrum.  
 Mr. Stratton with Mr. Helstoski.  
 Mr. White of Idaho with Mr. Holland.  
 Mr. Hawkins with Mr. Senner.  
 Mr. Morris with Mr. Todd.  
 Mr. Multer with Mr. Tuten.  
 Mr. Albert with Mr. Tenzer.  
 Mr. Stephens with Mr. Walker of New Mexico.  
 Mr. Karth with Mr. Willis.  
 Mr. Trimble with Mr. Dorn.  
 Mr. Van Deerlin with Mr. Abbitt.  
 Mr. Weltner with Mr. Corman.  
 Mr. Gallagher with Mr. McMillan.  
 Mr. Rogers of Texas with Mr. Murray.  
 Mr. Dent with Mr. Edwards of California.  
 Mr. Flynt with Mr. Farnsley.  
 Mr. Mills with Mr. Fisher.  
 Mr. Aspinall with Mr. Edmondson.  
 Mr. Jones of North Carolina with Mr. Udall.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the bill just passed and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

## AMENDMENT OF NATIONAL SCHOOL LUNCH ACT

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand

food service programs for children, with the House amendment thereto, insist on the amendment of the House, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, GATHINGS, HAGEN of California, PURCELL, BELCHER, QUIE, and Mrs. MAY.

## ANTI-RIOT ACT

(Mr. WHITTEN asked and was given permission to address the House for 1 minute; to revise and extend his remarks and to include extraneous matter.)

Mr. WHITTEN. Mr. Speaker, as a former district attorney in Mississippi, one willing to match my record for the fair discharge of my obligations as an officer with that of anyone, I deplore what has happened in my city of Grenada. I have no personal knowledge of what happened yesterday and the day before in one of the finest small cities in the country, Grenada, Miss., which is so close by as to be like my hometown.

Mr. Speaker, I do know that for months now outside agitators, with the acquiescence if not the approval of the U.S. Department of Justice, have been doing everything they could think of to bring about riot and bloodshed. They have stood in the public square, hurling epithets, screaming filthy and obscene language, with representatives of the Department of Justice in the area and almost in the position of supervising these efforts to incite to riot. I have pointed out this situation on several occasions.

## NONVIOLENCE TAKES MORE THAN WORDS

Saying the word "nonviolence" while acting in a manner and in concert with other actions on the part of the speaker or his associates, the logical and easy to anticipate results of which are to incite violence, you know and I know is to incite violence. Yet that is what has occurred regularly.

I join with Senator BYRD, of Virginia, in suggesting that it is time the Attorney General resigned. From the day when Chief Justice Warren, former Republican Governor of California, and his associates on the Supreme Court changed all the prior decisions of the judges who preceded him, and President Eisenhower backed him up with troops and bayonets, we have seen the Supreme Court render decision after decision supposedly protecting individuals but actually tying the hands of the police and local law enforcement officers, and permitting or releasing criminals upon a defenseless public—again with the support and, at times, on what amounts to petition of the Attorney General. I have addressed myself to this matter on several occasions, the last time on August 18, page 19103 of the CONGRESSIONAL RECORD:

## ANTI-RIOT ACT

Mr. WHITTEN. Mr. Speaker, the one action which we have taken in quite a long time which could be a start toward a return of law and order was the anti-riot amendment, for which I made the concluding oral argument on the floor, section 502, of the so-called



Civil Rights Act of 1966, page 17665, CONGRESSIONAL RECORD of August 8, 1966.

This amendment, offered by the gentleman from Florida [Mr. CRAMER], provides:

"PROTECTION OF RIGHTS

"SEC. 502. Whoever moves or travels in interstate or foreign commerce or uses any facility in interstate or foreign commerce, including the mail, with intent to—

"(1) incite, promote, encourage, or carry on, or facilitate the incitement, promotion, encouragement, or carrying on of, a riot or other violent civil disturbance; or

"(2) commit any crime of violence, arson, bombing, or other act which is a felony or high misdemeanor under Federal or State law, in furtherance of, or during commission of, any act specified in paragraph (1); or

"(3) assist, encourage, or instruct any person to commit or perform any act specified in paragraphs (1) and (2);

and thereafter performs or attempts to perform any act specified in paragraphs (1), (2), and (3), shall be fined not more than \$10,000 or imprisoned not more than five years, or both."

"And renumber the following section accordingly."

Mr. Speaker, the chief significance of the adoption of this amendment is that it shows that the Members of this House are at last showing some signs that they realize this Nation is about to be destroyed unless we restore law and order.

This provision is a sound one. I hope the Senate will adopt it as separate legislation. Under the administration of the present Attorney General, however, I doubt that much would be done to enforce its provisions. Actually if the Federal authorities would let law enforcement function, no such statute would be needed, for, Mr. Speaker, the various States, including my own State of Mississippi, have statutes against rioting or inciting to riot. Our local law-enforcement officers could maintain order now under State law, if the Department of Justice and other Federal authorities would allow the local courts to function; if they would accept the facts, easily proven, and known to the people of the Nation, which are that professional agitators are busy stirring up strife, doing everything they can to cause riots. They say nonviolence while doing exactly that which leads to violence. To promote violence is not peaceful, but must be accepted as overt acts toward inciting a riot.

For many weeks now the people of one of the fine towns or cities in my district, Grenada, almost like a home to me, since I grew up about 14 miles from there, have been the target of almost every kind of inflammatory action, of vile language, of epithets, the natural result of which would lead to fights, bloodshed, and property damage.

Similar but worse situations have happened and are happening all over the United States—Cleveland, Omaha, Providence, Brooklyn, Amityville, New York and many, many others, including, of course, Chicago, which has been in the forefront of the news—for repeated outbreaks have been the order of the day and night. The Nation now sees this is far more than a southern problem.

Mr. Speaker, my town of Grenada has many fine people, sound people, and I know has excellent legal and other leadership; and, not being able to be on the ground regularly I have hesitated to advise. Now, however, I believe the time has come where the people of the Nation realize that cities, counties, and other political subdivisions must be permitted to seek and secure restraining orders against all persons known to have gone from place to place to stir up hatred, prejudice, while attempting to wreck the local economy—particularly where they have incited riots on a small if not a large scale at other points.

Mr. Speaker, I spoke on the so-called Civil Rights Act of 1966 on July 25, July 29, August 2, and August 4, pointing out its fallacies and detailing just what we in the South have been up against for quite a long time; violence which has now spread to all sections of the country. What we need is to get the Federal Government to leave local law officers alone to discharge their duties, for law enforcement is a local and not a national responsibility—one for which the Nation is not prepared. We need to let our municipalities go into the courts and obtain court assistance to keep the peace by restraining orders.

If this had been permitted in Grenada, the events of the last few days need not have occurred.

Mr. Speaker, what we have is a breakdown in law and order which will get worse unless those charged with the responsibility of keeping the peace, make full use of the policemen on the ground, backed up by the local courts, State and Federal. If we do not do that, we are in for chaos and all the excuses offered by the Attorney General or other officials would not change what we are in for.

I understand that such a restraining order against these would-be marchers, these people who do everything to incite riots while talking nonviolence, has been issued in one section of Chicago. That Mr. Speaker, is what we need to be permitted to do in my town of Grenada where the people have had to put up with every rotten thing possible, filthy language, insults, lawsuits, and everything else—as part of an effort to wreck overall economy of Negro and white. Mr. Speaker, this is but a move toward anarchy. Federal authorities must move back and let law enforcement, in Grenada and across the Nation, function if we are to handle the situation.

In debate on the so-called Civil Rights Act of 1966, I pointed out in some detail that what we have is a breakdown in law and order. One of my speeches on the subject was the basis of an editorial by the Mobile Register, which I quote here:

"TIME TO WAKE UP AND QUIT FIDDLING

"Some things said in Congress the other day by Representative JAMIE L. WHITTEN of Mississippi were remindful of that familiar phrase about fiddling while Rome burns.

"The American people," he said, "have had enough of trials being delayed, the guilty going free on technicalities, property being destroyed, our police being pushed around.

"They have a right to expect us to do something to restore law and order, for involved is the destruction of responsible government.

"Here we are with the greatest wave of lawlessness facing our country all across the land, and yet the Congress, which should take to heart its own responsibility, is busy spending days and days protecting the rights of the irresponsible to serve on juries. Now, is that not a ridiculous thing for us to do, when we should be busy trying to make punishment for crime more certain?"

"Mr. WHITTEN, continuing to emphasize the problem of lawlessness in the fact of inadequate effort to stamp it out, told his colleagues:

"We find in today's newspaper reports from at least eight or 10 states throughout the nation where on yesterday criminals were running wild, destroying lives and property.

"We see on every hand the court's getting away from the rule on which orderly government was built, a general rule to the effect that if the record clearly showed the guilt of the defendant beyond a reasonable doubt, he or she would not be released on the public on some technicality and particularly a technicality raised by the appellate or Supreme Court itself.

"... It is said that Nero fiddled while

Rome burned. It strikes me that is about what we are doing here.

"At a time when our country is becoming the victim of the criminal, when our wives and daughters and we ourselves are afraid to walk our streets, we find the Congress spending these hours and days trying to protect the rights of irresponsible persons to sit on a jury.

"We need to do something about crime and criminals. We need to make punishment more certain. We need to put the rights of an orderly and lawabiding society ahead of the whims of the Supreme Court...

"It is time to wake up here and quit fiddling. Rome is certainly burning, and if you do not believe it, read today's newspapers."

"There is a glaring misfortune in regard to remarks such as Mr. WHITTEN made in Congress in this instance. The misfortune is remarks of this kind are not made by enough members of Congress and enough other Americans.

"But no American with his eyes open should fail to see that it is time to wake up and quit fiddling.

"As a postscript to Mr. WHITTEN's remarks, we call attention to this excerpt from a Chicago dispatch at weekend by United Press International:

"Hoodlums broke windows in a suburban department store and stole 24 rifles and shotguns from displays after a rampage of violence during which a policeman was shot by a sniper."

"More proof that the time has come in the United States to wake up and quit fiddling. Not only is it time to wake up and quit fiddling—the need for that is acute, urgent, imperative. The longer the delay, the greater and more alarming the danger.

"Why the delay—why the reluctance to take urgently needed action with courage, forthrightness and resolution? Two prime factors in why this action is not taken are: Stupidity and politics. The American people cannot afford the brands of stupidity and politics that leave them exposed to the violence and crime of the lawless."

Mr. Speaker, I repeat, there is only one way to save this country of ours and that is for the Attorney General, the Department of Justice, and the Federal courts to back up local law-enforcement officers, instead of nullifying their efforts. If some change is not soon made, you will have no policemen for no one would have the job. Conditions will border on that of the Middle Ages where it was every man for himself—and there was little for anyone.

That was on August 18. Today it is apparent that the Attorney General must move in on these agitators who create riots, who spent weeks building up to what we have seen happen all over the country. From statements made by the present Attorney General, it is apparent he will not do that. Again, I agree with Senator BYRD. We need an Attorney General who does not condone agitation and agitators, until violence erupts, and blood is shed, one who recognizes the right of local people to secure injunction to restrain agitators, not merely in Chicago but in the small towns of the South. His appeasement policy of offering up the South to illiterate voters, to the withholding of funds from schools by the Department of Education, under laws passed here by the joint action of Republican and Democratic leaders has failed.

Chaos threatens, not in my section, but in the cities of the Nation, and the powers that be refuse to recognize the fact.







# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
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### CONTENTS

Appropriations.....4,13,17,22,44	Grain storage.....16,39	Recreation.....5
Buildings.....15,18	Highways.....38	Research.....2,16,21
Child nutrition.....1	Historic sites.....10	Rural renewal.....5
Civil rights.....20	Inflation.....23,33	Ryukyu Islands.....43
Conservation.....28	Interest rates.....11,23	Salt water.....21
Contractors.....16	Invasion of privacy.....40	School milk.....22
Credit.....34	Lands.....16,30,35	Sea-grant colleges.....26
Eden project lands.....16	Legislative program.....17	Seeds.....3
Experiment station.....2	Loans.....5	Taxation.....36
Farm program.....13	Medicare.....42	Training.....7
Federal aid.....27	Minerals.....19	TVA.....14
Fish and wildlife.....8	National seashore.....37	Urban affairs.....29
Fish protein.....24	Nomination.....41	Water.....6
Food for freedom.....1	Participation sales.....34	Water pollution.....31
Foreign aid.....4,17,25	Political activity.....9	Wetlands.....30
Foreign trade.....12	Poverty.....32	
	Prices.....33	

HIGHLIGHTS: See page 4

### HOUSE

- ~~1. FOOD FOR FREEDOM; CHILD NUTRITION. The conferees on H. R. 14929, the food for freedom bill, and S. 3467, the child-nutrition bill, agreed to file conference report. p. D891~~
2. RESEARCH. Passed without amendment S. 3421, to authorize the Secretary of Agriculture to convey the Alaska Experiment Station to Alaska. This bill will now be sent to the President. p. 21955
3. SEEDS. Passed under suspension of the rules H. R. 15662, to revise and update the Federal Seed Act. pp. 22032-4
4. FOREIGN AID APPROPRIATION BILL. The Appropriations Committee reported this bill, H. R. 17788 (H. Rept. 2045). p. 22078



5. LOANS. The Agriculture Committee reported H. R. 13669, to authorize rural-renewal loans for recreation and to non-profit corporations (H. Rept. 2046). p. 22078
6. WATER. Passed as reported S. 2287, to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula. pp. 21952-3  
Rejected (161-154, a 2/3 majority being needed) a motion to suspend the rules and pass S. J. Res. 167, to enable the U. S. to organize and hold an International Conference on Water for Peace in the U. S. in 1967. pp. 22013-17
7. TRAINING. Passed on suspension of the rules H. R. 16715, to broaden and increase the flexibility under the Manpower Development and Training Act. pp. 22000-13
8. FISH AND WILDLIFE. Conferees were appointed on H. R. 9424, to provide for conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction, and to consolidate Interior's authorities for administration of the National Wildlife Refuge System. Senate conferees have not been appointed. p. 22022
9. POLITICAL ACTIVITY. Passed under suspension of the rules S. 1474, to create a bipartisan commission to study Federal laws limiting political activity by Government personnel. pp. 22025-7
10. HISTORIC SITES. Rejected (41-31, a 2/3 majority being needed) a motion to suspend the rules and pass S. 3035, to establish a program for preservation of additional historic properties throughout the Nation. pp. 22027-31
11. INTEREST RATES. Rep. Patman deplored the effect of increases on housing and education. pp. 22034-8
12. FOREIGN TRADE. Rep. Curtis objected to the position of the European Economic Community in trade negotiations regarding farm products and inserted the views of the American Farm Bureau Federation and a Belgian industrialist. pp. 22046-7
13. FARM PROGRAM; APPROPRIATIONS. Rep. Ashbrook accused this Department of wasting money and inserted an article on the subject. p. 22047
14. TENNESSEE VALLEY AUTHORITY. Rep. Ottinger said the proposed Tellico Dam project is not needed. pp. 22057-8
15. BUILDINGS. Received from the General Services Administration a proposed bill "to amend the Public Buildings Act of 1950, as amended." To Public Works Committee. p. 22078
16. PASSED OVER H. R. 4497, to require certain contractors with the U. S. to give an affidavit on payment of subcontractors; H. R. 12360, to permit the sale of grain storage facilities to nonprofit agencies; H. R. 4429, to reimburse Wyo. for certain improvements on Eden project lands; and H. R. 9147, to reduce the frequency of meetings of the national research advisory committee. p. 21955
17. LEGISLATIVE PROGRAM. Today the House is expected to consider the Private Calendar and the foreign aid appropriation bill. p. D890

17248, to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas. Testimony was heard from public witnesses.

#### ACCOUNTING DELAYS

*Committee on Government Operations:* Subcommittee on Executive and Legislative Reorganization held a hearing on delays in the submissions of Federal agency accounting systems for approval by the GAO as required by the Budget and Accounting Procedures Act. Testimony was heard from Elmer B. Staats, Comptroller General; John W. Macy, Chairman, Civil Service Commission; and James F. Kelly, Comptroller, Department of Health, Education, and Welfare.

#### CHILD SAFETY ACT

*Committee on Interstate and Foreign Commerce:* Subcommittee on Public Health and Welfare held a hearing on S. 3298, to amend the Federal Hazardous Substance Labeling Act to include toys and certain household goods; and concluded hearings on H.R. 13886, and related bills, the Child Safety Act of 1966. Testimony was heard from James L. Goddard, Commissioner, Food and Drug Administration, HEW.

#### RAILROAD RETIREMENT ACT

*Committee on Interstate and Foreign Commerce:* Subcommittee on Commerce and Finance met in executive session and approved for full committee action the following bills:

H.R. 12543, to amend the Trading With the Enemy Act to provide for the transfer of three paintings to the Federal Republic of Germany in trust for the Weimar Museum;

H.R. 14355, to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act to make certain technical changes, to provide for survivor benefits to children ages 18 to 21, inclusive; and

H.R. 17285, to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act.

Prior to the executive session, the subcommittee held a hearing on H.R. 12543, title above. Testimony was heard from Ely Maurer, Assistant Legal Adviser, Department of State; and Anthony Mondello, Office of Alien Property, Civil Division, Department of Justice.

#### INVESTMENT CREDIT

*Committee on Ways and Means:* Met in executive session on H.R. 17607, to temporarily suspend the investment credit and the application of accelerated depreciation. No final action was taken.

## Joint Committee Meetings

#### FOOD FOR PEACE

*Conferees,* in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 14929, to promote international trade in agricultural commodities so as to combat hunger and to further economic development.

#### SCHOOL LUNCH

*Conferees,* in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 3467, to strengthen and expand food service programs for schoolchildren.

#### BILLS SIGNED BY THE PRESIDENT

##### New Laws

(For last listing of public laws see DIGEST, p. D884, September 16, 1966)

H.R. 13558, to provide for regulation of the practice of certified public accountants in the D.C. Signed September 16, 1966 (P.L. 89-578).

H.R. 399, authorizing reconveyance of mineral interests in lands acquired for the Vega Dam and Reservoir, Colo., to the former owners. Signed September 16, 1966 (P.L. 89-579).

H.R. 7446, for the relief of certain civilian Norfolk Naval Shipyard employees. Signed September 16, 1966 (P.L. 89-580).

H.R. 790, to rename the lock of the Cross-Florida Barge Canal as the "Bert Dosh Lock." Signed September 16, 1966 (P.L. 89-581).

H.R. 8000, setting the fee for certifying more than 10 copies of a ship mortgage at \$1 per copy. Signed September 16, 1966 (P.L. 89-582).

#### COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 20

(All meetings are open unless otherwise designated)

##### Senate

*Committee on Appropriations,* subcommittee, on fiscal 1967 budget estimates for public works, on civil functions items, 10 a.m., room S-128, Capitol.

Subcommittee, on H.R. 17637, military construction appropriations, 10 a.m. and 2 p.m., 1114 New Senate Office Building.

*Committee on Finance,* executive, to consider H.R. 8436 and H.J. Res. 688, tariff bills; H.R. 5852, veterans bill; and H.R. 6958 and 13103, revenue bills, 10 a.m., 2221 New Senate Office Building.



*Next meeting of the SENATE*

12:00 noon, Tuesday, September 20

*Committee on Foreign Relations*, executive, to receive a briefing on the situation in Thailand from Assistant Secretary of State for Far Eastern Affairs William Bundy, 10 a.m., room S-116, Capitol.

*Committee on the Judiciary*, Subcommittee on Antitrust and Monopoly, to continue its hearings on economic concentration, 10 a.m., 1318 New Senate Office Building.

*Committee on Labor and Public Welfare*, executive, on S. 3164, proposed Economic Opportunity Act amendments of 1966, 10 a.m., 4232 New Senate Office Building.

*Committee on Public Works*, executive, on pending public building prospectuses; S.J. Res. 76, long-range study of future development needs of U.S. Capitol Grounds; and S. 212, designating the W. P. Franklin lock and control structure, Florida, 10 a.m., 4110 New Senate Office Building.

Subcommittee on Flood Control—Rivers and Harbors, on S. 3698, to convert the revenue bonds issued by the St. Lawrence Seaway Development Corporation to capital stock, 10 a.m., 4200 New Senate Office Building.

*Special Committee on Aging*, Subcommittee on Health of the Elderly, to hold hearings on modern health screening methods, 10 a.m., room G-308 (auditorium), New Senate Office Building.

**House**

*Committee on Banking and Currency*, to continue consideration of S. 3158, the Financial Institutions Supervisory Act of 1966, 10 a.m., 2128 Rayburn House Office Building.

*Committee on Education and Labor*, General Subcommittee on Labor, to continue consideration of H.R. 16831, to require the Secretary of Labor to investigate the effect of foreign competition on domestic employment when a complaint is filed by an employer or labor organization; and H.R. 17248, to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas, 9:45 a.m., 2257 Rayburn House Office Building.

General Subcommittee on Education, to consider H.J. Res. 965, and related resolutions, to reaffirm as congressional policy the Nation's goal of equal educational opportunity at all levels of learning without financial barriers, 9:30 a.m., 2261 Rayburn House Office Building.

*Next meeting of the HOUSE OF REPRESENTATIVES*

12:00 noon, Tuesday, September 20

*Committee on Foreign Affairs*, to continue consideration of H. Con. Res. 523 and H.J. Res. 769, to establish an Atlantic Union Delegation, 10 a.m., 2172 Rayburn House Office Building.

Subcommittee on Europe, executive, to consider S. 1935 and S. 2064, to amend the International Claims Settlement Act of 1949, immediately after House vote on the foreign aid appropriation bill, H-227 U.S. Capitol Building.

*Committee on Interstate and Foreign Commerce*, executive, on pending legislation, 10 a.m., 2123 Rayburn House Office Building.

*Committee on Merchant Marine and Fisheries*, Special Subcommittee on Maritime Education and Training, to consider educational programs in the State maritime academies, 10 a.m., 1334 Longworth House Office Building.

*Committee on Rules*, to consider H. Res. 826, and similar measures, to create a select committee to investigate policies and guidelines on school desegregation; and H.R. 13161, the Elementary and Secondary School Assistance Act, 10:30 a.m., H-313 U.S. Capitol Building.

*Committee on Science and Astronautics*, Ad Hoc Subcommittee on H.R. 17424, to consider H.R. 17424, to promote and support representation of U.S. interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, 10 a.m., 2325 Rayburn House Office Building.

*Committee on Ways and Means*, executive, to continue consideration of H.R. 17607, to temporarily suspend the investment credit and the application of accelerated depreciation, 10 a.m., committee room, Longworth House Office Building.

**Joint Committees**

*Joint Committee on Atomic Energy*, to resume its hearings on S. 3722 and H.R. 16920, relating to recordkeeping for radiation workers, 10 a.m. and 2 p.m., room AE-1, Capitol.

*Conferees*, executive, on H.R. 14088, authorizing improved health benefits programs for members of the Armed Forces, 10:30 a.m., room EF-100, Capitol.

*Conferees*, executive, on S. 2393, authorizing additional GS-16, 17, and 18 positions for new agencies and expanded functions, 2:30 p.m., room S-321, Capitol.

**Congressional Record**

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# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C. 20250  
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Issued Sept. 22, 1966  
For actions of Sept. 21, 1966  
89th-2nd; No. 160

### CONTENTS

Agricultural policy.....26	Flood control.....18	Personnel.....11,12
Appropriations.....10,14	Food supply.....29	Public works.....14
Awards.....12	Foreign aid.....9,27	Reclamation.....36
Buildings.....3	Hay.....30	Recreation.....1,17
Child nutrition.....5,13	Health.....10	Rural areas.....25
Congressional.....	Information.....33	Salt-water research.....7
reorganization...6,19,31	Inspection services....21	Seeds.....1
Conservation.....17,20	Interest rates.....37	Supergrades.....11
Cooperatives.....2	Jellyfish.....17	Transportation.....10
Copyright law.....16	Job Corps.....8	Urban affairs.....24
Corn.....26	Lands.....35	Veterans' benefits.....34
Disaster relief.....30	Legislative.....	Water supply.....18,28
Education.....10	accomplishments....22,23	Watersheds.....15
Federal aid.....32	Legislative program....10	Wildlife.....17
Feed.....30	Loans.....1	
Fish protein.....17	Minerals.....4	

HIGHLIGHTS: House received conference report on child nutrition bill. Senate committee voted to report bills to authorize rural-renewal loans for recreation, revise Seed Act, and permit holding of prepayments of FHA loans. Sen. Jordan announced hearings on revised Aiken bill to prevent handlers from treating cooperatives unfairly. House agreed to conference report on bill to authorize additional supergrade positions. Rep. Callaway criticized USDA announcement of regulation change re withdrawal of certain inspection services.

### SENATE

1. LOANS; SEEDS. The Agriculture and Forestry Committee voted to report (but did not actually report) S. 688, to authorize rural-renewal loans for recreation and to non-profit organizations; H. R. 15662, to revise the Federal Seed Act; and H. R. 15510, to permit the Department to hold prepayments to the Farmers Home Administration on loans. p. D900
2. COOPERATIVES. Sen. Aiken submitted an amendment which he intends to propose as a substitute for S. 109, to prevent handlers from treating cooperatives



unfairly. The amendment was printed in the Record. Sen. Jordan announced that hearings will be held Sept. 28. pp. 22632, 22633-4

3. BUILDINGS. Passed as reported H. R. 14019, to authorize additional appropriations for Government buildings in foreign countries. pp. 22562-4
4. MINERALS. Passed as reported S. 3485, to establish standards for determining whether a particular amendment is a common variety under the Common Varieties Act and therefore subject to leasing. pp. 22564-6
5. CHILD NUTRITION. Sen. Proxmire expressed satisfaction at legislative progress of the child nutrition bill. p. 22592
6. CONGRESSIONAL REORGANIZATION. The Special Committee on the Organization of Congress reported the proposed Legislative Reorganization Act of 1966 (S. Rept. 1629). Sen. Monroney said: "It enlarges the role of the General Accounting Office in making a greater variety of budgetary data--suitable for computer programming--available to all Members and by providing expert staff assistance in GAO to be on call by the standing committees to assist in modern program evaluation techniques. It provides for more frequent budget updating and more long-range projections of continuing programs. It requires an analysis of the budgetary consequences of new legislation by the legislative committees. It recommends a more open, output oriented appropriations review... It attempts to rationalize congressional scheduling by providing for an August recess period in the event the business of the session has not been concluded by the legal adjournment date of July 31." pp. 22656-8
7. SALT-WATER RESEARCH. Passed without amendment S. 3823, to authorize the Interior Department to participate in construction and operation of a large prototype desalting plant. pp. 22667-70
8. JOB CORPS. Sen. Dominick criticized administration of the Job Corps program. pp. 22670-4
9. FOREIGN AID. Passed without amendment S. J. Res. 194, to authorize the President to designate Oct. 31 of each year as National UNICEF Day. p. 22628
10. LEGISLATIVE PROGRAM. Sen. Mansfield stated his hope that the Labor-HEW appropriation bill will be reported today, in which event it is to be considered tomorrow, September 23; and that, if reported this week, the bill to establish a Department of Transportation, and the health and education bills, will be considered next week. p. 22620

#### HOUSE

11. SUPERGRADES. Agreed to the conference report on S. 2393, to authorize 300 additional positions at GS-16, 17, and 18. p. 22424
12. AWARDS. The Foreign Affairs Committee reported S. 2463, to grant the consent of the Congress to acceptance of certain gifts and decorations from foreign governments (H. Rept. 2052). p. 22559
13. CHILD NUTRITION. Received the conference report on S. 3467, the child nutrition bill (H. Rept. 2063). The conferees accepted the bill as passed by the house (for provisions see Digest 110) with the exception of House amendments

to add the Trust Territory of the Pacific Islands and to authorize appropriations to extend to children attending overseas dependents schools administered by the Dept. of Defense, the administration of which the conferees felt "would be extremely difficult and also, with respect to the extension of feeding programs to overseas dependents schools, that this involved matters of substantive legislation and policy affecting not only this Act but the National School Lunch Act and, therefore, should be the subject of separate legislative consideration." pp. 22481-3

14. PUBLIC WORKS APPROPRIATION BILL. Passed without amendment this bill, H. R. 17787. pp. 22424-480, 22554
15. WATERSHEDS. A subcommittee of the Agriculture Committee approved for full committee action work plans for two watershed projects. p. D902
16. COPYRIGHT LAW. A subcommittee of the Judiciary Committee approved for full committee action H. R. 4347, to revise the Copyright Law, title 17 of the United States Code. p. D903
17. COMMITTEE BUSINESS. The Merchant Marine and Fisheries Committee voted to report (but did not actually report) H. R. 14699, amended, to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, H. R. 13447, amended, to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation and scenic beauty, and H. R. 11475, amended, to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the U. S. p. D903
18. WATER SUPPLY; FLOOD CONTROL. Rep. Hansen, Ida., inserted his testimony requesting funds for a start on the Lower Teton Dam, Idaho, which he stated is needed to control serious flooding and to provide supplemental water to the farmers in that area. pp. 22480-1
19. CONGRESSIONAL REORGANIZATION. Rep. Madden urged support of the proposed Legislative Reorganization Act of 1966. p. 22506  
Rep. Staggers inserted an editorial commending the recommendations of the Joint Committee on the Organization of the Congress. pp. 22555-6
20. CONSERVATION. Rep. Secrest paid tribute to the 89th Congress as "the great conservation-minded" Congress. p. 22506
21. INSPECTION SERVICES. Rep. Callaway criticized a proposed Department regulation "which would make it possible for the Department to withdraw inspection service from any processing plant in the event that any employee attempted to interfere with the inspector," and inserted his testimony urging that the proposed regulation be forgotten. pp. 22522-3
22. LEGISLATIVE ACCOMPLISHMENTS. Rep. Redlin reviewed the activities of the 89th Congress including items of interest to this Department. pp. 22544-5



ITEMS IN APPENDIX

23. LEGISLATIVE ACCOMPLISHMENTS. Reps. Fogarty, Pike, and Roudebush inserted a record of 89th Congress accomplishments. pp. A4873-6, A4876-9, A4883
24. URBAN AFFAIRS. Extension of remarks of Rep. Ford inserting an article and stating that it cites the President's Pa. speech "as an eloquent appeal to stem the continuing migration from farms and countryside into our big cities." p. A4876
25. RURAL AREAS. Extension of remarks of Rep. Dole expressing the necessity for rural area development and inserting an article, "New Beef Processing Plant Will Fill Urgent Need." pp. A4881-2
26. CORN; AGRICULTURAL POLICY. Extension of remarks of Reps. Poage and Cooley inserting a policy statement of the Corn Refiners Ass'n., Inc. pp. A4883-4, A4894-5
27. FOREIGN AID. Rep. Kupferman inserted an article, "A New Framework for Foreign Aid." pp. A4884-6
28. WATER SUPPLY. Extension of remarks of Rep. Bow criticizing the lack of accomplishment in the program to preserve water supplies, and stating that "Some blame the lack of funds and others blame the division of authority between various agencies of the Government." pp. A4892-3
29. FOOD SUPPLY. Extension of remarks of Rep. Kastenmeir commending and inserting Rep. Stalbaum's recent address in which he offered suggestions "that a new approach be made by the Department of Agriculture to obtain the necessary food items for our food programs." pp. A4895-7

BILLS INTRODUCED

30. DISASTER RELIEF. H. R. 17896 by Rep. Mathias, to eliminate the test of financial need as a prerequisite for the sale of feed for livestock in emergency areas; to Agriculture Committee. Remarks of author pp. 22517-20  
H. R. 17897 by Rep. Mathias, to provide additional drought disaster relief by reimbursement of one-half the cost of shipment of hay; to Agriculture Committee. Remarks of author pp. 22517-20
31. REORGANIZATION. S. 3848 by Sen. Monroney and H. R. 17873 by Rep. Curtis, to improve the operation of the legislative branch of the Federal Government; to Rules Committee. Remarks of Sen. Monroney, pp. 22656-8 and Rep. Curtis, pp. 22513-7
32. FEDERAL AID. H. R. 17876 by Rep. Cohelan, to provide uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to Public Works Committee.
33. INFORMATION. H. R. 17895 by Rep. Teague, Texas, to impose certain safeguards on investigations carried out by Federal agencies; to Judiciary Committee.
34. VETERANS BENEFITS. H. R. 17893 by Rep. Gilligan, to amend title 38 of the United States Code so as to increase the rates of financial assistance under the veterans' educational assistance program of that title and to broaden

## CHILD NUTRITION

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SEPTEMBER 21, 1966.—Ordered to be printed

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Mr. COOLEY, from the committee of conference, submitted the following

### CONFERENCE REPORT

[To accompany S. 3467]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467), to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: *That this Act may be cited as the "Child Nutrition Act of 1966"*.

#### DECLARATION OF PURPOSE

*SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.*

#### SPECIAL MILK PROGRAM AUTHORIZATION

*SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year*



ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

#### SCHOOL BREAKFAST PROGRAM AUTHORIZATION

SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out, on a nonpartisan basis, a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

#### APPORTIONMENT TO STATES

(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion \$2,600,000 equally among the States other than Guam, the Virgin Islands, and American Samoa, and \$45,000 equally among Guam, the Virgin Islands, and American Samoa, and (2) apportion the remainder among the States in accordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (d). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational

agency shall require applicant schools to provide justification of the need for such assistance.

#### NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(c) *Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.*

#### NONPROFIT PRIVATE SCHOOLS

(f) *The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provisions thereof.*

#### NONFOOD ASSISTANCE PROGRAM AUTHORIZATION

SEC 5. (a) *There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment, other than land or buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the National School Lunch Act, as amended, and in the event such equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.*

#### APPORTIONMENTS TO STATES

(b) *The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any equipment financed under this subsection shall be borne by State or local funds.*



## STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, equipment, to conduct a school food service program, and to acquire such equipment. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the equipment to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

## NONPROFIT PRIVATE SCHOOLS

(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

## PAYMENTS TO STATES

SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

## STATE ADMINISTRATIVE EXPENSES

SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

## UTILIZATION OF FOODS

SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

## NONPROFIT PROGRAMS

*SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.*

## REGULATIONS

*SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.*

## PROHIBITIONS

*SEC. 11. (a) In carrying out the provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.*

*(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.*

## PRESCHOOL PROGRAMS

*SEC. 12. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.*

## CENTRALIZATION OF ADMINISTRATION

*SEC. 13. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.*

*SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.*

## MISCELLANEOUS PROVISIONS AND DEFINITIONS

*SEC. 15. For the purposes of this Act—*

*(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.*

*(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.*

*(c) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.*



(d) "School" means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

(e) "Secretary" means the Secretary of Agriculture.

#### ACCOUNTS AND RECORDS

SEC. 16. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

And the House agree to the same.

HAROLD D. COOLEY,  
W. R. POAGE,  
E. C. GATHINGS,  
HARLAN HAGEN,  
GRAHAM PURCELL,  
PAGE BELCHER,  
ALBERT H. QUIE,  
CATHERINE MAY,

*Managers on the Part of the House.*

ALLEN J. ELLENDER,  
SPESSARD L. HOLLAND,  
HERMAN E. TALMADGE,  
B. EVERETT JORDAN,  
GEORGE MCGOVERN,  
GEORGE D. AIKEN,  
MILTON R. YOUNG,  
JOHN SHERMAN COOPER,

*Managers on the Part of the Senate.*

## STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House amendment struck out all after the enacting clause of S. 3467 and substituted the language of H.R. 13361 to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture, as passed by the House.

The Senate conferees agreed to the entire House amendment with the exception of two provisions which were added to the House bill on the floor. The first provision added the Trust Territory of the Pacific Islands to the areas covered by the bill. The second provision would have authorized appropriations to extend to children attending overseas dependents schools administered by the Department of Defense the benefits of this act and of the National School Lunch Act.

The conferees felt that the administration of both of these provisions would be extremely difficult and also, with respect to the extension of feeding programs to overseas dependents schools, that this involved matters of substantive legislation and policy affecting not only this act but the National School Lunch Act and, therefore, should be the subject of separate legislative consideration.

HAROLD D. COOLEY,  
W. R. POAGE,  
E. C. GATHINGS,  
HARLAN HAGEN,  
GRAHAM PURCELL,  
PAGE BELCHER,  
ALBERT H. QUIE,  
CATHERINE MAY,

*Managers on the Part of the House.*





In April, I appeared before the House Committee on Appropriations, urging that at least \$50,000 be approved to begin preliminary construction investigation to permit the project to get underway. I regret that funds were not recommended. Knowing of the opposition of the House to additional increases in the budget, I have not pressed the issue in debate today.

However, because of the urgent need for this project, the Senate may follow the action taken last year and authorize money to permit work to commence this next year and avoid the delay of a full year or more on this essential development. Should this occur, I respectfully urge the conferees to accept a position which would permit this very necessary project to move ahead.

As a matter of further interest to the House and the information of the conferees, I am including in the RECORD a copy of my statement before the committee.

STATEMENT OF THE HONORABLE GEORGE V. HANSEN, SECOND DISTRICT, IDAHO, BEFORE THE HOUSE APPROPRIATIONS PUBLIC WORKS SUBCOMMITTEE, APRIL 25, 1966

Mr. Chairman, I appreciate the opportunity of again appearing before this Committee to request funds for a start on the Lower Teton Dam, Fremont County, Idaho. I would like to make just a very brief statement today and then, if it is permissible, to include as a part of that statement the statement I made before this Committee last year—a copy of which has been furnished to the Committee Members. The facts have not changed—the situation has not changed—except that another year has gone by with no concrete prospects of relief for those in the area who are hit by recurrent flood and drought cycles. The statement brings out these salient facts—

The Fremont Dam is a multi-purpose development designed to make maximum use of available water resources in the area. It is a two-stage project. The first stage, for which we are asking appropriations now, would bring no new land under irrigation. It would, however, provide urgently-needed supplemental water for 114,000 acres. The project would also provide substantial flood protection to a highly developed area in the Upper Snake River Basin which has suffered severe damage from floods in recent years.

Flood and drought conditions in the same year in this area are not uncommon. The seriousness of an alternate flood and drought cycle was vividly illustrated in 1961 and 1962. During the summer of 1961, Fremont and Madison Counties were declared drought emergency areas. In February, 1962, extremely high runoff caused record floods in Henry's Fork and Teton River Valleys and the Snake River Plain. Thus, within six months, the same area was declared a drought area and a flood disaster area.

May I point out to the Members of this Committee that, in 1964, Idaho was honored when the Chairman, the Gentleman from Ohio, and the Secretary of the Interior, the Honorable Stewart L. Udall, personally inspected this area. At that time both acclaimed the project and the Secretary stated that plans for the project "likely will be pressed in this fiscal year beginning July 1 so that initial work can begin in 1966". Fiscal 1966, of course, has passed us by with no funds for beginning the project.

Secretary Udall has reaffirmed his support of the urgency and need for the project in a letter I have received from Robert W. Nelson, Deputy Assistant Secretary, which states: "In reply to your telegram of April 20, the need for Fremont Dam and Reservoir to

provide flood control and supplemental irrigation water remains unchanged from that defined in our report on the Lower Teton Division, Teton Basin Project, Idaho, which was printed as House Document No. 208, 88th Congress."

In that document there is a letter, signed by Darlington W. Denit, Acting Commissioner, Bureau of Reclamation, which was approved and adopted by Secretary Udall. It states, in part, "I conclude, therefore, that the plans of development outlined in this report for both the initial stage and for the ultimate stage of the lower Teton division are feasible and economically justified, *that there now exists an urgent need for supplemental water supplies to presently irrigated lands and for flood protection*, and that power and recreation benefits can be realized by construction of the initial stage, lower Teton division, Teton Basin project." (Italic added.)

Additionally, the Lower Teton Dam enjoys complete and unanimous bi-partisan support by all individuals and groups concerned and Joint Memorials to the Congress urging its funding have been passed unanimously by both houses of the Idaho State Legislature.

Last year, Mr. Chairman, the Senate approved an appropriation of \$300,000 for this project, the amount Floyd E. Dominy, Commissioner of the Bureau of Reclamation, had said would be used the first year. However, Mr. Dominy informed me that as little as \$50,000 could be used initially in contract negotiations to save up to a year's valuable time in the ultimate completion of this vital project.

I realize that the amount of money available under the budget for 1967 is limited, and that there are many calls upon it. However, I believe a compromise might be made—through approving appropriation of the above-mentioned \$50,000—which would have a relatively minute effect on the budget, and which would allow time-consuming negotiations on contracts to get underway immediately.

Mr. Chairman, that ends my formal statement. If the Chairman or the Committee Members have questions, I shall be happy to answer them.

#### CHILD NUTRITION

Mr. COOLEY submitted the following conference report and statement on the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children:

##### CONFERENCE REPORT (H. REPT. No. 2063)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'Child Nutrition Act of 1966'.

##### "DECLARATION OF PURPOSE

"SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national lunch program with its significant contributions in the field of applied nutrition re-

search, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

##### "SPECIAL MILK PROGRAM AUTHORIZATION

"SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section 'United States' means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

##### "SCHOOL BREAKFAST PROGRAM AUTHORIZATION

"SEC. 4 (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out, on a nonpartisan basis, a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

##### "APPORTIONMENT TO STATES

"(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion \$2,600,000 equally among the States other than Guam, the Virgin Islands, and American Samoa, and \$45,000 equally among Guam, the Virgin Islands, and American Samoa, and (2) apportion the remainder among the States in accordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

##### "STATE DISBURSEMENT TO SCHOOLS

"(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (d). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

"(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial



assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

#### "NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS"

"(e) Breakfast served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

#### "NONPROFIT PRIVATE SCHOOLS"

"(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provisions thereof.

#### "NONFOOD ASSISTANCE PROGRAM AUTHORIZATION"

"SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment, other than land or buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this Act and in the National School Lunch Act, as amended, and in the event such equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

#### "APPORTIONMENTS TO STATES"

"(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any equipment financed under this subsection shall be borne by State or local funds.

#### "STATE DISBURSEMENT TO SCHOOLS"

"(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have, no, or grossly inadequate, equipment, to conduct

a school food service program, and to acquire such equipment. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the equipment to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

#### "NONPROFIT PRIVATE SCHOOLS"

"(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

#### "PAYMENTS TO STATES"

"SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### "STATE ADMINISTRATIVE EXPENSES"

"SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

#### "UTILIZATION OF FOODS"

"SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act by 1966 (79 Stat. 1212), may be donated by the Secretary to schools in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

#### "NONPROFIT PROGRAMS"

"SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

#### "REGULATIONS"

"SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

#### "PROHIBITIONS"

"SEC. 11. (a) In carrying out the provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirement with respect to teaching personnel, curriculum, instruction methods of instruction, and materials of instruction.

"(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare,

and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

#### "PRESCHOOL PROGRAMS"

"SEC. 12. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

#### "CENTRALIZATION OF ADMINISTRATION"

"SEC. 13. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

"SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.

#### "MISCELLANEOUS PROVISIONS AND DEFINITIONS"

"SEC. 15. For the purposes of this Act—

"(a) 'State' means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

"(b) 'State educational agency' means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

"(c) 'Nonprofit private school' means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954.

"(d) 'School' means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

"(e) 'Secretary' means the Secretary of Agriculture.

#### "ACCOUNTS AND RECORDS"

"SEC. 16. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary."

And the House agree to the same.

HAROLD D. COOLEY,  
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*Managers on the Part of the Senate.*



## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The House amendment struck out all after the enacting clause of S. 3467 and substituted the language of H.R. 13361 to establish a co-operative Federal-State child nutrition program under the direction of the Department of Agriculture, as passed by the House.

The Senate conferees agreed to the entire House amendment with the exception of two provisions which were added to the House bill on the floor. The first provision added the Trust Territory of the Pacific Islands to the areas covered by the bill. The second provision would have authorized appropriations to extend to children attending overseas dependents schools administered by the Department of Defense the benefits of this Act and of the National School Lunch Act.

The conferees felt that the administration of both of these provisions would be extremely difficult and also, with respect to the extension of feeding programs to overseas dependents schools, that this involved matters of substantive legislation and policy affecting not only this Act but the National School Lunch Act and, therefore, should be the subject of separate legislative consideration.

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*Managers on the Part of House.*

MILITARY MEDICAL BENEFITS  
AMENDMENTS OF 1966

Mr. RIVERS of South Carolina submitted the following conference report and statement on the bill (H.R. 14088) to amend chapter 55 of title 10, United States Code, to authorize an improved health benefits program for retired members and members of the uniformed services and their dependents, and for other purposes:

## CONFERENCE REPORT (H. REPT. No. 2064)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14088) to amend chapter 55 of title 10, United States Code, to authorize an improved health benefits program for retired members and members of the uniformed services and their dependents, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'Military Medical Benefits Amendments of 1966'.  
"Sec. 2. Chapter 55 of title 10, United States Code, is amended as follows:

"(1) Sections 1071, 1072, 1073, and 1084 are each amended by striking out '1085' wherever it appears (in catchline or text) and by inserting in place thereof '1087'.

"(2) Section 1074(b) is amended to read as follows:

"(b) Under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, a member or former member of a uniformed service who is entitled to retired or retainer pay, or equivalent pay may, upon request, be given medical and dental care in any facility of any uniformed service, subject to the availability of space and facilities and the capabilities of the medical and dental staff. The Secretary of Defense and the Secretary of Health, Education, and Welfare may, with the agreement of the Administrator of Veterans' Affairs, provide care to persons covered by this subsection in facilities operated by the Administrator and determined by him to be available for this purpose on a reimbursable basis at rates approved by the Bureau of the Budget."

"(3) Section 1076(b) is amended to read as follows:

"(b) Under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, a dependent of a member or former member who is, or was at the time of his death, entitled to retired or retainer pay, or equivalent pay, may, upon request, be given the medical and dental care prescribed by section 1077 of this title in facilities of the uniformed services, subject to the availability of space and facilities and the capabilities of the medical and dental staff."

"(4) Section 1077 is amended to read as follows:

"§ 1077. Medical care for dependents; authorized care in facilities of uniformed services

"(a) Only the following types of health care may be provided under section 1076 of this title:

"(1) Hospitalization  
"(2) Outpatient care  
"(3) Drugs.  
"(4) Treatment of medical and surgical conditions.

"(5) Treatment of nervous, mental, and chronic conditions.

"(6) Treatment of contagious diseases.

"(7) Physical examinations, including eye examinations, and immunizations.

"(8) Maternity and infant care.

"(9) Diagnostic tests and services, including laboratory and X-ray examinations.

"(10) Emergency dental care worldwide.

"(11) Routine dental care outside the United States and at stations in the United States where adequate civilian facilities are unavailable.

"(12) Dental care worldwide as a necessary adjunct of medical, surgical, or preventive treatment.

"(13) Ambulance service and home calls when medically necessary.

"(14) Durable equipment, such as wheelchairs, iron lungs, and hospital beds may be provided on a loan basis.

"(b) The following types of health care may not be provided under section 1076 of this title:

"(1) Domiciliary or custodial care.  
"(2) Prosthetic devices, hearing aids, orthopedic footwear, and spectacles except that—

"(A) outside the United States and at stations inside the United States where adequate civilian facilities are unavailable, such items may be sold to dependents at cost to the United States, and  
"(B) artificial limbs and artificial eyes may be provided."

"(5) Section 1078(a) is amended by deleting the last sentence and adding the following sentence at the end thereof: 'The charge or charges prescribed shall be applied equally to all classes of dependents.'

"(6) Section 1079 is amended to read as follows:

"(a) To assure that medical care is available for spouses and children of members of the uniformed services who are on active duty for a period of more than thirty days, the Secretary of Defense, after consulting with the Secretary of Health, Education, and Welfare, shall contract, under the authority of this section, for medical care for those persons under such insurance, medical service, or health plans as he considers appropriate. The types of health care authorized under this section shall be the same as those provided under section 1076 of this title, except that:

"(1) with respect to dental care, only that care required as a necessary adjunct to medical or surgical treatment may be provided;

"(2) routine physical examinations and immunizations may only be provided when required in the case of dependents who are traveling outside the United States as a result of a member's duty assignment and such travel is being performed under orders issued by a uniformed service;

"(3) routine care of the newborn, well-baby care, and eye examinations may not be provided;

"(4) under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, the services of Christian Science practitioners and nurses and services obtained in Christian Science sanatoriums may be provided;

"(5) durable equipment, such as wheelchairs, iron lungs and hospital beds may be provided on a rental basis.

"(b) Plans covered by subsection (a) shall include provisions for payment by the patient of the following amounts:

"(1) \$25 for each admission to a hospital, or the amount the patient would have been charged under section 1078(a) of this title had the care being paid for been obtained in a hospital of the uniformed services, whichever amount is the greater.

"(2) Except as provided in clause (3), the first \$50 each fiscal year of the charges for all types of care authorized by subsection (a) and received while in an outpatient status and 20 per centum of all subsequent charges for such care during a fiscal year.

"(3) A family group of two or more persons covered by this section shall not be required to pay collectively more than the first \$100 each fiscal year of the charges for all types of care authorized by subsection (a) and received while in an outpatient status and 20 per centum of the additional charges for such care during a fiscal year.

"(c) The methods for making payment under subsection (b) shall be prescribed under joint regulations issued by the Secretary of Defense and the Secretary of Health, Education, and Welfare.

"(d) Under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare, in the case of a dependent, as defined in section 1072(2) (A), (C), or (E) of this title, of a member of the uniformed services on active duty for a period of more than thirty days, who is moderately or severely mentally retarded or who has a serious physical handicap, the plans covered by subsection (a) shall, with respect to the retardation or handicap of such dependent, include the following:

"(1) Diagnosis.  
"(2) Inpatient, outpatient, and home treatment.  
"(3) Training, rehabilitation, and special education.

"(4) Institutional care in private non-profit, public and State institutions and facilities and, when appropriate, transporta-



tion to and from such institutions and facilities.

"(e) Members shall be required to share in the cost of any benefits provided their dependents under subsection (d).

"(1) Except as provided in clause (3), members in the lowest enlisted pay grade shall be required to pay the first \$25 incurred each month and members in the highest commissioned pay grade shall similarly be required to pay \$250 per month. The amounts to be similarly paid by members in all other pay grades shall be determined under joint regulations to be prescribed by the Secretary of Defense and the Secretary of Health, Education, and Welfare.

"(2) Except as provided in clause (4), the Government's share of the cost of any benefits provided in a particular case under subsection (d) shall not exceed \$350 per month.

"(3) Members shall also be required to pay each month that amount, if any, remaining after the Government's maximum share has been reached.

"(4) A member who has more than one dependent incurring expenses in a given month under a plan covered by subsection (d) shall not be required to pay an amount greater than he would be required to pay if he had but one such dependent.

"(f) To qualify for the benefits provided by subsection (d), members shall be required to use public facilities to the extent they are available and adequate as determined under joint regulations of the Secretary of Defense and the Secretary of Health, Education, and Welfare."

"(7) The following new sections are added after section 1085:

"§ 1086. Contracts for health benefits for certain members, former members, and their dependents

"(a) To assure that health benefits are available for the persons covered by subsection (c), the Secretary of Defense, after consulting with the Secretary of Health, Education, and Welfare, shall contract under the authority of this section for health benefits for those persons under the same insurance, medical service, or health plans he contracts for under section 1079(a) of this title.

"(b) For persons covered by this section the plans contracted for under section 1079(a) of this title shall contain the following provisions for payment by the patient:

"(1) Except as provided in clause (2), the first \$50 each fiscal year of the charges for all types of care authorized by this section and received while in an outpatient status and 25 per centum of all subsequent charges for such care during a fiscal year.

"(2) A family group of two or more persons covered by this section shall not be required to pay collectively more than the first \$100 each fiscal year of the charges for all types of care authorized by this section and received while in an outpatient status and 25 per centum of the additional charges for such care during a fiscal year.

"(3) 25 per centum of the charges for inpatient care.

"(c) The following persons are eligible for health benefits under this section:

"(1) Those covered by sections 1074(b) and 1076(b) of this title, except those covered by section 1072(2)(F) of this title.

"(2) A dependent of a member of a uniformed service who died while on active duty for a period of more than thirty days, except a dependent covered by section 1072(2)(F) of this title.

However, a person who is entitled to hospital insurance benefits under title I of the Social Security Amendments of 1965 (79 Stat. 286) is not eligible for health benefits under this section

"(d) No benefits shall be payable under any plan covered by this section in the case of a person enrolled in any other insurance,

medical service, or health plan provided by law or through employment unless that person certifies that the particular benefit he is claiming is not payable under the other plan.

"(e) A person covered by this section may elect to receive benefits either in (1) Government facilities, under the conditions prescribed in sections 1074 and 1076-1078 of this title, or (2) the facilities provided under a plan contracted for under this section. However, under joint regulations issued by the Secretary of Defense and the Secretary of Health, Education, and Welfare, the right to make this election may be limited for those persons residing in an area where adequate facilities of the uniformed service are available.

"§ 1087. Programing facilities for certain members, former members, and their dependents in construction projects of the uniformed services

"Space for inpatient and outpatient care may be programed in facilities of the uniformed services for persons covered by sections 1074(b) and 1076(b) of this title. The amount of space so programed shall be limited to that amount determined by the Secretary concerned to be necessary to support teaching and training requirements in uniformed services facilities, except that space may be programed in areas having a large concentration of retired members and their dependents where there is also a projected critical shortage of community facilities."

"(8) Section 1082 is amended by inserting 'and 1086' immediately after '1081' and by amending the catchline to read as follows:

"§ 1082. Contracts for health care: advisory committees."

"(9) The analysis is amended by striking out the following items:

"1071. Purpose of sections 1071-1085 of this title."

"1073. Administration of sections 1071-1085 of this title."

"1077. Medical and dental care for dependents: specific inclusions and exclusions."

"1082. Contracts for medical care for spouses and children: advisory committees."

and inserting the following items:

"1071. Purpose of sections 1071-1087 of this title."

"1073. Administration of sections 1071-1087 of this title."

"1077. Medical care for dependents: authorized care in facilities of uniformed services."

"1082. Contracts for health care: advisory committees."

"1086. Contracts for health care for certain members, former members, and their dependents."

"1087. Programing facilities for certain members, former members, and their dependents in construction projects of the uniformed services."

"Sec. 3. The amendments made by this Act shall become effective January 1, 1967, except that those amendments relating to outpatient care in civilian facilities for spouses and children of members of the uniformed services who are on active duty for a period of more than 30 days shall become effective on October 1, 1966."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

L. MENDEL RIVERS,  
F. EDWARD HÉBERT,  
PORTER HARDY, JR.,  
WILLIAM H. BATES,  
WILLIAM G. BRAY,

*Managers on the part of the House.*

RICHARD B. RUSSELL,  
STUART SYMINGTON,  
HOWARD W. CANNON,  
STEPHEN M. YOUNG,  
MARGARET CHASE SMITH,  
JOHN TOWER,

*Managers of the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill, H.R. 14088, to authorize an improved health benefits program for retired members and members of the uniformed services and their dependents, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House insisted on its original language. However, the Senate conferees were insistent on their position and the House conferees therefore reluctantly agreed to accept the Senate amendments with the following exceptions:

#### 1. MENTALLY RETARDED AND PHYSICALLY HANDICAPPED DEPENDENTS OF ACTIVE DUTY PERSONNEL

The bill as passed by the House authorized a new program of financial assistance for military personnel on active duty whose children may be moderately or severely mentally retarded or seriously physically handicapped. The program developed by the House was designed to provide financial assistance and benefits to military families to cope with the most serious type of cases involving mental retardation or physical handicap. Under existing law there is no program of this kind either in the Department of Defense or for civilian employees of the Federal Government. Similarly, no private employee groups in the country have established a program of this kind. The program envisioned by the House would have cost an estimated \$28.2 million in its first full year of operation. The Senate amended this House provision to expand its coverage to include spouses of active duty personnel and any degree of mental retardation or physical handicap.

The House conferees recognize the commendable objectives of the Senate language. However, the House conferees pointed out that this program was unique and constituted a pioneer effort in the area of financial assistance and benefits for the military parents of mentally retarded and physically handicapped children. The House conferees also pointed out that the House limitations were consistent with the program recommended by the Department of Defense. Consequently, the House conferees insisted on maintaining the House limitations excluding the mildly retarded and those whose physical handicaps are not serious to insure that the costs of the program would remain within reasonable limits and also satisfy the need confronting those military families most seriously burdened by this problem. The Senate conferees therefore receded from their position and accepted the House limitations with, however, the proviso that the spouses of active duty personnel, as well as children, would be included in this financial assistance program. The estimated annual cost of this provision as modified by the conferees is \$28.8 million.







# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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### CONTENTS

Animal research.....	34	Fish protein.....	15	Property.....	29
Appropriations.....	34,45	Flood insurance.....	32	Reclamation.....	28
Banking.....	42	Food for peace.....	1	Recreation.....	36,40
Bread prices.....	41	Food marketing.....	21	River basin.....	30
Budget.....	25	Foreign aid.....	14	Rural development.....	7
Child nutrition.....	2	4-H Clubs.....	22	School milk.....	20
Congressional.....		Inflation.....	25	Seeds.....	3
organization.....	18,44	Lands.....	37	Supplemental.....	
Conservation.....	28	Legislative record.....	23	appropriations.....	34
Consumers.....	9	Loans.....	11	Taxation.....	31
Credit.....	42	Manpower.....	17	Timber cutting.....	34
Demonstration cities.....	19	Mining.....	28	Tobacco.....	27
Education.....	5,12	Naval stores.....	43	Transportation.....	13
Experiment station.....	39	Personnel.....	10	Voting record.....	26
Farm credit.....	8	Political activity.....	35	Water resources.....	38
Farm program.....	6	Poverty.....	4,10,16,24	Wildlife.....	33

HIGHLIGHTS: House agreed to Conference report on child nutrition bill. House agreed to Senate amendments to bill revising Federal Seed Act. Rep. Langen criticized Administration's farm program.

### HOUSE

1. FOOD FOR PEACE. Recommitted, 306-61, to conference H. R. 14929, the food-for-peace bill, with instructions to insist on the provision restricting sales of agricultural commodities to any nation that ships equipment, materials, or commodities to Cuba or North Vietnam. pp. 24314-25
2. CHILD NUTRITION. Agreed to the conference report on S. 3467, the child nutrition bill. pp. 24313-4



3. SEEDS. Agreed to Senate amendments to H. R. 15662, to revise the Federal Seed Act. This bill will now be sent to the President. p. 24313
4. POVERTY. Conferees were appointed on H. R. 15111, to continue and change various programs under the Economic Opportunity Act. p. 24326
5. EDUCATION. Began debate on H. R. 13161, to strengthen and improve programs of assistance for elementary and secondary schools. pp. 24328-47, 24377-8
6. FARM PROGRAM. Rep. Langen reviewed various criticisms of the Administration's farm program by the Republican Policy Committee. pp. 24365-6
7. RURAL DEVELOPMENT. Rep. Moeller recommended S. 2934, the rural community development districts bill. pp. 24378-9
8. FARM CREDIT. The Banking and Currency Committee reported without amendment S. J. Res. 153, to provide for medals in commemoration of the 50th anniversary of the Federal land bank system (H. Rept. 2193). p. 24387
9. CONSUMERS. Rep. Rosenthal reviewed and requested additional actions to protect consumers. pp. 24379-81
10. PERSONNEL; POVERTY. Rep. Bob Wilson claimed the administration is "hypocritical" in vetoing the Government employees' life insurance bill, then favoring the poverty bill. p. 24364

SENATE

11. LOANS. The Agriculture and Forestry Committee reported with amendments S. 688, to extend loan eligibility to non-profit corporations for rural renewal activities (S. Rept. 1676). p. 24184
12. EDUCATION. The Labor and Public Works Committee reported with amendments H. R. 14644, the proposed Higher Education Amendments of 1966 (S. Rept. 1677). p. 24184  
Began debate on S. 3046, to strengthen and improve programs of assistance for elementary and secondary schools. pp. 24244, 24255-99  
The Finance Committee reported without amendment H. R. 8664, to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on Nov. 22, 1950 (S. Rept. 1679). p. 24184
13. TRANSPORTATION. Conferees were appointed on H. R. 15963, to establish a Department of Transportation. House conferees have been appointed. p. 24244
14. FOREIGN AID. Passed, 52-22, with amendments H. R. 17788, the foreign aid appropriation bill (pp. 24224-244). Agreed to an amendment by Sen. Ellender to reduce by \$27 million appropriations for development loans (pp. 24239-40). Conferees were appointed. House conferees have not been appointed.
15. FISH PROTEIN. Conferees were appointed on S. 2720, to authorize the Interior Department to develop practicable and economic means for production by the commercial fishing industry of fish protein concentrate. House conferees have not been appointed. pp. 24299-300



The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### NATIONAL MUSEUM ACT OF 1965

Mr. JONES of Missouri. Mr. Speaker, I call up the conference report on the bill (S. 1310) relating to the National Museum of the Smithsonian Institution, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 4, 1966.)

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. JONES of Missouri. I yield to my colleague from Missouri.

Mr. HALL. Mr. Speaker, I appreciate my colleague from Missouri yielding to me. I simply have one question. As I understand the statement of the managers on the part of the House, we acceded to the original provision of paragraph (b) of section 2 of the Senate bill, S. 1310. The effect of this is to encumber a future Congress in increasing amounts as to the purpose of this continuing Smithsonian Institution authority. Is that correct?

Mr. JONES of Missouri. Well, that is perfectly correct. In other words we acceded to them to accept a limitation. Rather than \$200,000, it goes up to a maximum of \$300,000 and they would then have to come back to the Congress for reappraisal.

Mr. HALL. If the gentleman will yield further, Mr. Speaker, in this time of deficit spending, in this time of war, and in this time when the President is telling us to hold back on further expenses, to say nothing of encumbering future Congresses; will the gentleman from Missouri please tell the House in a few brief words why it was necessary to recede from the House position and accede to the Senate with respect to future expenditures in this area?

Mr. JONES of Missouri. I might say to the gentleman the reason why we did this was because we were just outvoted, to be perfectly frank with you. However, I think the limitation of \$200,000 for the first year would not have any effect on the bill itself. Of course, all of these will be subject to review by the Committee on Appropriations each year and after it has been operated for 3 years they would have to come back to the Congress for reappraisal.

Mr. HALL. Mr. Speaker, what I am worried about is not \$200,000 for fiscal year 1968 but the \$250,000 for fiscal year 1969 and the \$250,000 for fiscal year 1970 and the \$300,000 for fiscal year 1971. This is backdoor spending. I presume

that is based and predicated on the continuation of inflation and mounting Government expense as well as that of the need of the Smithsonian Institution to make long-range commitments. However, it does encumber a future Congress and, in fact, the next two Congresses, as far as these amounts are concerned. In the opinion of my colleague from Missouri, was this a worthwhile sacrifice in order to stipulate review by the committee at the end of these fiscal years?

Mr. JONES of Missouri. I might say that we had to reach some compromise on the wording of the bill or we would not have had any bill. The House version was an open-end commitment, while the Senate placed a limitation of \$200,000 per year. Our committee felt that this was a worthwhile activity and we felt there was sufficient consideration by the Congress when it does come before the Committee on Appropriations. So I think it is safeguarded in that respect.

Mr. HALL. We constantly hear about an authorizing bill not being valid when it comes before the Committee on Appropriations, but I submit that when the appropriation bill is brought up the argument is invariably advanced that the operative committee members have to appropriate, or they have to provide ways and means by some method or manner for everything that has been previously authorized by the legislative committee of the House. I hope that in the future the managers on the part of the House will not seek to encumber a future Congress whose membership might be drastically changed.

I thank the gentleman for yielding and for giving me the opportunity of making this legislative record.

Mr. JONES of Missouri. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### SAVING FREEDOM AND DEMOCRACY IN VIETNAM BY DESTROYING THE WORLD

(Mr. FARBSTAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARBSTAIN. Mr. Speaker, former President Eisenhower belies his reputation as a man of moderation and caution by his apparent advocacy of the nuclear threat in Vietnam. The former Commander in Chief seems to be saying that he would risk a global holocaust to achieve our limited aims in southeast Asia. If we follow the Eisenhower dictum, it seems to me, we would be saving freedom and democracy in Vietnam by destroying the world.

Mr. Speaker, in these days when we are imploring other nations to forgo nuclear arms, Mr. Eisenhower suggests that we rattle our own weapons to strike fear in the enemies' heart. Our only hope for halting proliferation is to demonstrate just how responsible we can be in our nuclear policies. Mr. Eisenhower does this country a serious disservice by

proposing that we use our nuclear power where it suits us—and the rest of world be damned.

I condemn that viewpoint. We deserve the world's confidence only if we show we are capable of the utmost restraint in exercising our nuclear strength. I am certain our President and those others in authority will make evident to the people of this Nation and the world that the mere thought of the use of nuclear arms is repulsive to this enlightened Nation.

#### AMEND FEDERAL SEED ACT

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15662) to amend the Federal Seed Act (53 Stat. 1275), as amended, with Senate amendments, thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 19, strike out "of" where it appears the second time and insert "for".

Page 3, line 9, strike out "Stated:" and insert "Stated:".

Page 3, line 12, strike out "label." and insert "label;".

Page 3, line 20, strike out "1571(B))" and insert "1571(b))".

Page 4, line 13, strike out "The" and insert "the".

Page 8, line 17, strike out "noxious weed" and insert "noxious-weed".

Page 10, line 3, after "12." insert "(a)".

Page 10, line 19, strike out "'(b)" and insert "(b)".

Page 10, line 21, strike out "'(e)" and insert "(e)".

Page 11, line 8, strike out "stated." and insert "stated.".

Page 11, line 11, strike out "Any" and insert "any".

Page 11, line 23, strike out "Any" and insert "any".

Page 14, line 16, strike out "pure-live" and insert "live".

Page 14, line 20, after "time" insert "to time".

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### AN ACT TO AMEND THE NATIONAL SCHOOL LUNCH ACT, AS AMENDED, TO STRENGTHEN AND EXPAND FOOD SERVICE PROGRAMS FOR CHILDREN

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill S. 3467, "An act to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children," and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.



The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 21, 1966.)

Mrs. MAY. Mr. Speaker, will the distinguished gentleman from North Carolina yield?

Mr. COOLEY. Mr. Speaker, I am delighted to yield to the distinguished gentlewoman from Washington [Mrs. MAY].

(Mrs. MAY asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. MAY. Mr. Speaker, it was my privilege to serve as a conferee with respect to the Child Nutrition Act of 1966, and I feel this is indeed a highly constructive piece of legislation.

This measure is unique in that it blends innovation with prudence, thereby providing the assurance that the ultimate benefactor of the legislation will be the children of America.

It is important to note that this legislation does not in any manner change the school lunch program. It will permit this program to work in the future just as it has in the past and at the level of appropriation set by the Congress.

The Child Nutrition Act, then, adds to the school lunch program. It provides for the continuation of the special milk program for an additional 3 years, the program through which milk at reduced prices is made available to children in schools, summer camps, and similar institutions.

In addition, the measure provides for two new programs. The first, the school breakfast program, would be carried out in substantially the same manner that the schools are now carrying out the lunch and milk programs. I would like to point out, however, that our committee had a great many reservations about going into this new area on anything but an experimental basis, because we wanted to see proof that the program could be wisely and practically applied. We committee members also wanted to be sure that this approach did not in any manner or means interfere with the established school lunch program. It was for that reason that the program was put on a strictly 2-year pilot program.

The second new program would provide schools in low-income areas with funds to acquire equipment for the purpose of establishing, maintaining, and expanding school food service programs. This part of the program will be carried out on a cost-sharing basis with the State and local areas, and it will bring the school food service into areas where children are most in need of it.

Mr. Speaker, this is a good program, and it gives me a great deal of pleasure to know that I have had some small part in seeing it come into being.

Mr. COOLEY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

# CONCURRENT RESOLUTION TO CORRECT THE TITLE OF S. 3467

Mr. COOLEY. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 1028) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1028

*Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children, the Secretary of the Senate be, and he is hereby, authorized and directed to correct the title so as to read: "An Act to strengthen and expand food service programs for children."*

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## TO PROMOTE INTERNATIONAL TRADE IN AGRICULTURAL COM- MODITIES, TO COMBAT HUNGER AND MALNUTRITION, TO FUR- THER ECONOMIC DEVELOPMENT, AND FOR OTHER PURPOSES

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (H.R. 14929), an act to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

### CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. COOLEY. Mr. Speaker, I move the call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 334]

Addabbo	Dyal	Irwin
Albert	Edwards, Ala.	Kupferman
Ashley	Evans, Colo.	Leggett
Aspinall	Farnsley	McCarthy
Brock	Fisher	McMillan
Brown, Calif.	Flynt	McVicker
Callaway	Fulton, Tenn.	Macdonald
Celler	Grider	Martin, Ala.
Clark	Gross	Martin, Mass.
Cleveland	Grover	Martin, Nebr.
Corman	Halleck	Morris
Craley	Harvey, Ind.	Morrison
Curtis	Hébert	Morse
Duncan, Oreg.	Hull	Morton

Murray	Rosenthal	Tunney
O'Konski	Schisler	Tupper
Olsen, Mont.	Scott	Walker, Miss.
O'Neill, Mass.	Sickles	Walker, N. Mex.
Ottlinger	Sisk	Watkins
Powell	Stanton	Watson
Purcell	Stephens	Weitner
Rees	Stratton	White, Idaho
Reid, N.Y.	Sullivan	Widhall
Reinecke	Sweeney	Willis
Resnick	Teague, Tex.	Wilson, Bob
Rivers, Alaska	Thompson, Tex.	Wolf
Rogers, Tex.	Toll	
Roncalio	Tuck	

The SPEAKER. On this rollcall 346 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 23, 1966.)

Mr. COOLEY (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that the further reading of the statement of the managers on the part of the House be dispensed with. I think everyone is familiar with the statement.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. The gentleman from North Carolina is recognized for 1 hour.

Mr. COOLEY. Mr. Speaker, I want to make a brief statement.

First I want to say that this is a very, very important bill, which came out of the Committee on Agriculture by a vote of 33 to 2 and passed the House by a vote of 333 to only 20. Our bill was called the Food for Freedom Act of 1966. The Senate bill was called the Food for Peace Act of 1966. We went to conference and we made a diligent effort to retain the House provisions. We had a long discussion, much of it about the name of the bill, which, of course, all of us know stems from Public Law 480, which has operated for 12 years.

Mr. Speaker, under Public Law 480, we have shared our great abundance with less fortunate people in other parts of the world.

Mr. Speaker, hundreds of millions of people in more than 100 nations of this earth have been permitted to share in this great abundance which we have harvested from our own flourishing fields.

Mr. Speaker, I have maintained for many years that bread and butter will be more effective in the cause of peace than bullets, bayonets, and bombs.

Mr. Speaker, this program that we have here under consideration, is a program which more or less embraces that theory, because we are now about to embark upon an entirely different program from the programs which we have exercised in the past.

Mr. Speaker, under the programs of the past we have taken away from production more than 50 million acres of

The first part of the paper is devoted to a general discussion of the problem. It is shown that the problem is of great importance in the theory of the differential equations of the second order. The second part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The third part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The fourth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The fifth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The sixth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The seventh part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The eighth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The ninth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order. The tenth part of the paper is devoted to the study of the properties of the solutions of the differential equations of the second order. It is shown that the solutions of the differential equations of the second order are of great importance in the theory of the differential equations of the second order.





SENATE

15. CHILD NUTRITION. Agreed to the conference report on S. 3467, the child nutrition bill (pp. 24455-56). This bill will now be sent to the President.
16. HEMISFAIR. Passed as reported H. R. 15098, relating to U. S. participation in the HemisFair 1968 Exposition to be held in San Antonio, Texas. pp. 24391-24396
17. EDUCATION. Passed, 54-16, with amendments S. 3046, to strengthen and improve programs of assistant for elementary and secondary schools. pp. 24452-3, 24456-96  
Sen. Talmadge inserted an article "United States Steps To Control Schools Seen," and inserted his newsletter discussing this subject. pp. 24431-2  
The Subcommittee on Education ordered favorably reported to the full committee with amendments H. R. 14643, to provide for the strengthening of American educational resources for international studies and research. p. D962
18. LABELING AND PACKAGING. Disagreed to the House amendment to S. 985, the fair packaging and labeling bill, and conferees were appointed. House conferees have not yet been appointed. pp. 24496-8
19. FARM PROGRAM. Sen. Pearson stated that the administrative rulings, procedures, and definitions of the farm program are so complicated that he has requested a full-scale study of the matter. pp. 24422-3  
Sen. Mundt inserted excerpts from his current newsletter "Parity Drops Again" and "Bad News for Livestock Producers." pp. 24439-41  
Sen. Long, Mo., commended the agricultural export program, calling it a great success story, and inserted an editorial on the subject. pp. 24441-3
20. CLEAN AIR. Disagreed to House amendments to S. 3112, the clean air bill, and conferees were appointed (p. 24498). House conferees have not yet been appointed.
1. FINANCIAL INSTITUTIONS. Disagreed to House amendments to S. 3158, to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and savings and loan associations, and conferees were appointed (pp. 24498-24511). House conferees have not yet been appointed.
22. MILITARY CONSTRUCTION. The Subcommittee of the Appropriations Committee approved for full committee consideration H. R. 17637, the military construction appropriation bill. p. D961
23. FORESTRY. The Interior and Insular Affairs Committee reported with amendment H. R. 8678, to establish in the State of Michigan the Pictured Rocks National Lakeshore (S. Rept. 1681). p. 24390
24. LANDS. The Interior and Insular Affairs Committee ordered reported (but did not actually report) S. 84, to provide for reimbursement to Wyoming for improvements made on certain lands in Sweetwater Co., if and when such lands revert to the U. S.; and S. 2358, to authorize sale of U. S. phosphate interests in certain Fla., lands to the record owners of the lands. p. D961-2
25. ALASKA. Sen. Bartlett spoke on the need for better housing and communications systems in Alaska and inserted supporting articles. pp. 24428-30, 24437-8



26. WATER POLLUTION. Sen. Muskie inserted a speech by Assistant Secretary of Interior DiLuzio entitled "Water Pollution Control - An American Must." pp. 24433-5
27. HIDE EXPORTS. Sen. McGovern stated that "there has been no more obvious fiasco in Government this year than the hide export fiasco staged by the Department of Commerce." p. 24438-9
28. CITIES. Sen. Muskie inserted various speeches delivered at the Urban America Conference on the subject of urban problems. pp. 2443-9
29. APPROPRIATIONS. Received from the President proposed supplemental estimates for various departments and agencies (S. Doc. 112). p. 24389 (No items for USDA)  
H. R. 17787, the public works appropriations bill, 1967, was made the unfinished business. p. 24496
30. WATERSHEDS. Received from the Budget Bureau plans for works of improvements on Big Coon Creek, Ala. and Tenn., Ebenezer Creek, Ga., Spillman Creek, Kans., Mill Creek, Ky., and Hobbsville-Sunbury watershed, N. C. and Va.; to Agriculture and Forestry Committee, and Little Sandy Creek and Trail Creek, Ga., Caston-Mountain Creek, Okla., and Choctaw Creek, Tex.; to Public Works Committee. pp. 24389, 24390
31. POWER. Received from FPC a publication, "World Power Data, 1964." p. 24390
32. BONDING. Received from Treasury the annual report on the bonding of Government officers and employees. p. 24390
33. CLAIMS. Received from Treasury the annual report on claims paid under the Military Personnel and Civilian Employees Claims Act. p. 24390
34. POST OFFICE. Received the Postmaster General's annual report. p. 24390
35. FLOOD CONTROL; INFORMATION. Received from Army a proposed bill to further amend section 206 of the Flood Control Act of 1960 to authorize the Secretary of the Army to compile and disseminate information on floods and flood damages to other Federal agencies; to Public Works Committee. p. 24390
36. LEGISLATIVE PROGRAM. Sen. Mansfield announced that hopefully consideration of the public works appropriation bill would be completed today (Oct. 7), followed by consideration of the higher education bill, and that it is not anticipated that a Saturday session will be held. p. 24482

ITEMS IN APPENDIX

37. SUGAR; LOANS. Rep. O'Neill, Mass., inserted his comments concerning the financial assistance given by the Economic Development Admin. to Maine Sugar Industries, Inc. for the purpose of adding cane sugar refining capacity to a new beet sugar factory. pp. A5156-7
38. FOOD PRICES. Extension of remarks of Rep. Jarman commending the food industry and the farmer for their efforts to help keep prices down and inserting an article on this subject. pp. A5158-9



But I would like to believe that while these refugees were in our land, we did everything to strengthen their belief in the democratic process and that we helped preserve their skills so that they might put them to good use in their own country. I sincerely believe that the pending measure, of which I am a cosponsor, will be of immeasurable aid in meeting these two objectives.

Mr. JAVITS. Mr. President, as a cosponsor of this measure, I want to voice my approval and urge its speedy passage.

The report clearly indicates the special problem of the more than 240,000 Cuban refugees who have entered this country since the advent of the Castro regime. Many came as refugees and desire to become citizens, but they, as well as other citizens of Western Hemisphere nations are precluded from adjusting their status to permanent resident while in this country. While others can return to their country of origin for appropriate processing, Cubans cannot return, and even if they could, there is no U.S. Embassy in their country to issue the correct visa. For many Cubans, this has meant a costly and inconvenient trip outside the United States—usually to Canada or Mexico—where the required documents can be obtained. This measure will relieve them of that burden and will facilitate their applications for citizenship.

Last year, when the Congress revised the Immigration and Nationality Act, I proposed an amendment similar to this bill which would have allowed adjustment of status in the United States. My amendment was accepted in committee and was passed by the Senate, but was lost in conference.

The vast majority of these Cuban refugees have already made a contribution to our Nation in the form of skills, education, and initiative. This bill will assure them the opportunity to continue their new lives in freedom and security.

Mr. ERVIN. Mr. President, the bill came from the Subcommittee on Immigration and Naturalization of the Committee on the Judiciary. It authorizes an adjustment of the status of Cuban refugees to the United States.

While I am a staunch advocate of restricted immigration, I think that the passage of the pending bill is necessary in respect to the Cuban refugees. There is no prospect that they will be able to return to their own country within any foreseeable time.

The pending measure merely provides that they may have their status adjusted with a view ultimately to becoming American citizens.

I think it is necessary to pass the pending bill to deal with the situation confronting us which, in the words of Grover Cleveland, is "a condition and not a theory."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 3712) was ordered to be engrossed for a third reading and was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 15183, a bill similar to the pending measure, and that the Senate proceed to the consideration of H.R. 15183.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15183) to adjust the status of Cuban refugees to that of lawful permanent residents of the United States.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill, H.R. 15183.

Mr. MANSFIELD. Mr. President, I move to strike out all after the enacting clause of the bill, H.R. 15183, and insert in lieu thereof the language of S. 3712, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 15183) was passed.

The title was amended, so as to read: "A bill to adjust the status of Cuban refugees to that of lawful permanent residents of the United States, and for other purposes."

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 3712 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT OF NATIONAL SCHOOL LUNCH ACT—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3467) to amend the National School Lunch Act, as amended, to strengthen and expand food service programs for children. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. PROXMIER in the chair.) The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 21, 1966, pp. 22481-22482, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, the bill S. 3467, as passed by the Senate provided for; first, a special milk program for fiscal years 1967, 1968, 1969, and 1970, with an authorization of not to exceed \$110 million for the present fiscal year, \$115 million for fiscal 1968, and \$120 million for the last 2 years of the extension; second, a pilot breakfast program for fiscal years 1967 and 1968, with an authorization of not to exceed \$7.5 million during this fiscal year and \$10 million in fiscal 1968; third, a permanent program for nonfood assistance to schools drawing attendance from areas in which poor economic conditions exist; and, fourth, general administrative provisions for (a) appropriation of funds to assist State educational agencies, when necessary, in administering additional activities, (b) authorizing the Secretary to extend school feeding programs under the act to include preschool programs operated as part of the school system, and (c) centralization in the Department of Agriculture of the administration of Federal programs to assist school feeding programs.

The bill as approved by the conference committee is essentially the same as that passed by the Senate. The only major change, if it can be called major, is that the nonfood assistance program is limited to 4 years with stated authorizations of not to exceed \$12 million for fiscal 1967, \$15 million for fiscal 1968, and \$18 million for the last 2 years of the program. The conferees felt that since this was a new program, a time limitation would be desirable so that the Agriculture Committees and the Congress would again have an opportunity to take a look at the program to see how it was working out.

One of the main features of S. 3467 was the extension of the special milk program for children. In this regard both the Senate and House versions were identical. Therefore, no changes were made.

The House had extended the provisions of the bill to include the Trust Territories of the Pacific Islands and would have authorized appropriations to extend to children attending overseas dependent schools administered by the Department of Defense the benefits of this act and of the National School Lunch Act. Both of these provisions were dropped because the conferees felt that the complexity of administration would be extremely difficult. Also, with respect to the extension of the feeding programs to dependents in overseas schools, the conferees felt that this involved matters of substantive legislation and policy affecting not only this act but the National School Lunch Act as well, and therefore should be the subject of separate legislative consideration.

Mr. President, I am fully satisfied with the conference report. It represents a



forward looking program designed to provide the schoolchildren of this Nation with highly nutritious food and milk for the development of their minds and bodies. I hope the Senate will approve this measure.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### PROXMIER HAILS SCHOOL MILK VICTORY

Mr. PROXMIER subsequently said: Mr. President, the Senate today has taken the final legislative action on the school milk bill. I am proud that on the day this bill was finally sent to the President, I presided over the Senate and struck the gavel sending it on its way. The goals I set out to achieve on that January 14 when I started my series of speeches on the milk program, when the outlook for the school milk bill was as cold as the weather, have now been substantially reached. This series of more than 150 speeches was triggered when the administration's budget for fiscal 1967 proposed an 80-percent slash in the program, which would have cut it to a minuscule and ineffective \$21 million.

Week after week of pleading on the floor, together with the great work of school organizations and dairy groups throughout the Nation, began to pay off when two-thirds of my colleagues in the Senate joined me in cosponsoring legislation to make the program permanent.

Early this summer, Congress approved \$104 million for the school milk program after the administration, in the person of Secretary of Agriculture Orville Freeman, wisely reversed its position by supporting the indefinite expansion of the program in its present form.

However, legislation to extend the program, which expires on June 30, 1967, still awaited action. Now a child nutrition bill has been sent to the President which, among other things, extends the school milk program through 1970.

I still intend to continue to fight for additional funds for the school milk program for fiscal 1967 in a supplemental appropriations bill. But the daily speeches which were so important in arousing public awareness of the danger the school milk program was in have now, with these final words, come to an end.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 16646) to amend title 10, United States Code, to authorize the award of Exemplary Rehabilitation Certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes.

The message also announced that the House further insisted upon its disagreement to the amendments of the Senate to the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes; asked a further

conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. SIKES, Mr. WHITTEN, Mr. GEORGE W. ANDREWS, Mr. FLOOD, Mr. LIPSCOMB, Mr. LAIRD, Mr. MINSHALL, and Mr. Bow were appointed managers on the part of the House at the further conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17788) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. ROONEY of New York, Mr. NATCHER, Mrs. HANSEN of Washington, Mr. COHELAN, Mr. LONG of Maryland, Mr. MAHON, Mr. SHRIVER, Mr. CONTE, Mr. ANDREWS of North Dakota, and Mr. Bow were appointed managers on the part of the House at the conference.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Acting President pro tempore:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States;

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor;

S.J. Res. 197. Joint resolution to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes;

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band; and

H.R. 9916. An act to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes.

#### DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1967

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its further disagreement to the amendments of the Senate to the bill (H.R. 15941) making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. RUSSELL of Georgia. I move that the Senate insist upon its amendments, agree to the request of the House for a further conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL of Georgia, Mr. HILL, Mr. McCLELLAN, Mr. ELLENDER, Mr. STENNIS, Mr. SYMINGTON, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mrs. SMITH conferees on the part of the Senate.

#### ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

The Senate resumed the consideration of the bill (S. 3046) to strengthen and improve programs of assistance to our elementary and secondary schools.

Mr. MANSFIELD. Mr. President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To whom will the time be charged?

Mr. DIRKSEN. It is not to be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 283 Leg.]

Aiken	Holland	Neuberger
Allott	Inouye	Pastore
Bartlett	Jackson	Pearson
Bass	Javits	Pell
Bayh	Jordan, Idaho	Proxmire
Bennett	Kennedy, Mass.	Randolph
Bible	Kennedy, N.Y.	Ribicoff
Boggs	Kuchel	Robertson
Brewster	Lausche	Russell, S.C.
Burdick	Long, Mo.	Russell, Ga.
Byrd, Va.	Long, La.	Saltonstall
Byrd, W. Va.	Magnuson	Scott
Cannon	Mansfield	Simpson
Cotton	McCarthy	Smathers
Dirksen	McClellan	Smith
Dodd	McGee	Stennis
Ellender	McGovern	Talmadge
Ervin	Mondale	Thurmond
Fannin	Monroney	Tower
Fong	Montoya	Tydings
Fulbright	Morse	Williams, N.J.
Harris	Morton	Williams, Del.
Hartke	Moss	Yarborough
Hickenlooper	Mundt	Young, N. Dak.
Hill	Muskie	Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], and the Senator from Michigan [Mr. HART] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], the Senator from New Hampshire [Mr. McINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Michigan [Mr. GRIFFIN], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.









Public Law 89-642  
89th Congress, S. 3467  
October 11, 1966

## An Act

To strengthen and expand food service programs for children.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Child Nutrition Act of 1966".

Child Nutrition  
Act of 1966.

### DECLARATION OF PURPOSE

SEC. 2. In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened under the authority of the Secretary of Agriculture as a measure to safeguard the health and well-being of the Nation's children, and to encourage the domestic consumption of agricultural and other foods, by assisting States, through grants-in-aid and other means, to meet more effectively the nutritional needs of our children.

### SPECIAL MILK PROGRAM AUTHORIZATION

SEC. 3. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$110,000,000; for the fiscal year ending June 30, 1968, not to exceed \$115,000,000; and for each of the two succeeding fiscal years not to exceed \$120,000,000, to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this section "United States" means the fifty States and the District of Columbia. The Secretary shall administer the special milk program provided for by this section to the maximum extent practicable in the same manner as he administered the special milk program provided for by Public Law 85-478, as amended, during the fiscal year ended June 30, 1966.

80 STAT. 885  
80 STAT. 886

72 Stat. 276;  
74 Stat. 84;  
75 Stat. 319.  
7 USC 1446 note.

### SCHOOL BREAKFAST PROGRAM AUTHORIZATION

SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$7,500,000; and for the fiscal year ending June 30, 1968, not to exceed \$10,000,000, to enable the Secretary to formulate and carry out, on a nonpartisan basis, a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools.

### APPORTIONMENT TO STATES

(b) Of the funds appropriated for the purposes of this section, the Secretary shall for each fiscal year, (1) apportion \$2,600,000 equally among the States other than Guam, the Virgin Islands, and American Samoa, and \$45,000 equally among Guam, the Virgin Islands, and American Samoa, and (2) apportion the remainder among the States in accordance with the apportionment formula contained in section 4 of the National School Lunch Act, as amended.

76 Stat. 944.  
42 USC 1753.



## STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to schools selected by the State educational agency, to reimburse such schools for the cost of obtaining agricultural and other foods for consumption by needy children in a breakfast program and for the purpose of subsection (d). Such food costs may include, in addition to the purchase price, the cost of processing, distributing, transporting, storing, and handling. Disbursement to schools shall be made at such rates per meal or on such other basis as the Secretary shall prescribe. In selecting schools, the State educational agency shall, to the extent practicable, give first consideration to those schools drawing attendance from areas in which poor economic conditions exist and to those schools to which a substantial proportion of the children enrolled must travel long distances daily.

(d) In circumstances of severe need where the rate per meal established by the Secretary is deemed by him insufficient to carry on an effective breakfast program in a school, the Secretary may authorize financial assistance up to 80 per centum of the operating costs of such a program, including cost of obtaining, preparing, and serving food. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance.

80 STAT. 886

80 STAT. 887

## NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

(e) Breakfasts served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such breakfasts shall be served without cost or at a reduced cost only to children who are determined by local school authorities to be unable to pay the full cost of the breakfast. In making such determinations, such local authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation of or other discrimination against any child shall be made by the school because of his inability to pay.

## NONPROFIT PRIVATE SCHOOLS

(f) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provisions thereof.

60 Stat. 233;

76 Stat. 945.

42 USC 1759.

## NONFOOD ASSISTANCE PROGRAM AUTHORIZATION

SEC. 5. (a) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not to exceed \$12,000,000, for the fiscal year ending June 30, 1968, not to exceed \$15,000,000, for each of the two fiscal years ending June 30, 1969, and June 30, 1970, not to exceed \$18,000,000, and for each fiscal year thereafter such sums as the Congress may hereafter authorize, to enable the Secretary to formulate and carry out a program to assist the States through grants-in-aid and other means to supply schools drawing attendance from areas in which poor economic conditions exist with equipment, other than land or buildings, for the storage, preparation, transportation, and serving of food to enable such schools to establish, maintain, and expand school food service programs. In the case of nonprofit private schools, such equipment shall be for use of such schools principally in connection with child feeding programs authorized in this

Act and in the National School Lunch Act, as amended, and in the event such equipment is no longer so used, that part of such equipment financed with Federal funds, or the residual value thereof, shall revert to the United States.

60 Stat. 230.  
42 USC 1751  
note.

#### APPORTIONMENTS TO STATES

(b) The Secretary shall apportion the funds appropriated for the purposes of this section among the States during each fiscal year on the same basis as apportionments are made under section 4 of the National School Lunch Act, as amended, for supplying agricultural and other foods, except that apportionment to American Samoa for any fiscal year shall be on the same basis as the apportionment to the other States. Payments to any State of funds apportioned for any fiscal year shall be made upon condition that at least one-fourth of the cost of any equipment financed under this subsection shall be borne by State or local funds.

76 Stat. 944.  
42 USC 1753.

#### STATE DISBURSEMENT TO SCHOOLS

(c) Funds apportioned and paid to any State for the purpose of this section shall be disbursed by the State educational agency to assist schools, which draw attendance from areas in which poor economic conditions exist and which have no, or grossly inadequate, equipment, to conduct a school food service program, and to acquire such equipment. In the selection of schools to receive assistance under this section, the State educational agency shall require applicant schools to provide justification of the need for such assistance and the inability of the school to finance the food service equipment needed. Disbursements to any school may be made, by advances or reimbursements, only after approval by the State educational agency of a request by the school for funds, accompanied by a detailed description of the equipment to be acquired and the plans for the use thereof in effectively meeting the nutritional needs of children in the school.

80 STAT. 887  
80 STAT. 888

#### NONPROFIT PRIVATE SCHOOLS

(d) The withholding of funds for and disbursement to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the matching provision thereof.

60 Stat. 233;  
76 Stat. 945.  
42 USC 1759.

#### PAYMENTS TO STATES

SEC. 6. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under sections 3 through 7 of this Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

#### STATE ADMINISTRATIVE EXPENSES

SEC. 7. The Secretary may utilize funds appropriated under this section for advances to each State educational agency for use for its administrative expenses in supervising and giving technical assistance to the local school districts in their conducting of programs under this Act. Such funds shall be advanced only in amounts and to the extent determined necessary by the Secretary to assist such State agencies in the administration of additional activities undertaken by them under section 11 of the National School Lunch Act, as amended, and sections 4 and 5 of this Act. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this section.

42 USC 1759a.



UTILIZATION OF FOODS

SEC. 8. Each school participating under section 4 of this Act shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (63 Stat. 1058), as amended, or purchased under section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, or section 709 of the Food and Agriculture Act of 1965 (79 Stat. 1212), may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this Act.

68 Stat. 458.  
7 USC 1431.  
7 USC 612c.  
7 USC 1446a-1.

NONPROFIT PROGRAMS

SEC. 9. The food and milk service programs in schools and nonprofit institutions receiving assistance under this Act shall be conducted on a nonprofit basis.

80 STAT. 888  
80 STAT. 889

REGULATIONS

SEC. 10. The Secretary shall prescribe such regulations as he may deem necessary to carry out this Act.

PROHIBITIONS

SEC. 11. (a) In carrying out the provisions of sections 3 through 5 of this Act, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

PRESCHOOL PROGRAMS

SEC. 12. The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

CENTRALIZATION OF ADMINISTRATION

SEC. 13. Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act and the National School Lunch Act.

Appropriation.

SEC. 14. There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this Act.

## MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 15. For the purposes of this Act—

(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of the Internal Revenue Code of 1954. 68A Stat. 163.

(d) "School" means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

(e) "Secretary" means the Secretary of Agriculture.

80 STAT. 889

80 STAT. 890

## ACCOUNTS AND RECORDS

SEC. 16. States, State educational agencies, schools, and nonprofit institutions participating in programs under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this Act and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary.

Approved October 11, 1966, 6:06 p.m.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1787 accompanying H. R. 13361 (Comm. on Agriculture), No. 1802 (Comm. on Education & Labor), and No. 2063 (Comm. of Conference).

SENATE REPORT No. 1360 (Comm. on Agriculture & Forestry).

CONGRESSIONAL RECORD, Vol. 112 (1966):

July 12: Considered and passed Senate.

Sept. 1: Considered and passed House, amended, in lieu of H. R. 13361.

Oct. 5: House agreed to conference report.

Oct. 6: Senate agreed to conference report.



